Level Canal Company



T06N R33E S01
S11 & S12
T06N R34E S06
T07N R33E S36
T07N R34E S31

SCANNED
DEC 0 2 2002

N
W E
S

0.8 0 0.8 1.6 Miles

Draft of
irrigated acres
Not a recommendation

Map prepared by: Carter Fritsclhle
Date prepared: 05-19-99
1987-1988 NAPP photography

Level
Canal

T 7N
R 34E
W ½ Sec. 31

⑥ 62.9 HEL

5 14.5 25 50

④ 64.3 NHEL

② 76.2 NHEL

3 31.6

36

31

#2197

(9141)

39

39

HEL ② 7.2

NHEL ① 50.7

NHEL ① 76.0

Ditch

40

40

NHEL ② 74.4

Ditch

40

40

NHEL ⑩ 27.0

NHEL ③ 32.3

Ditch

NHEL ⑪ 42.4

⑤ 2.9

(9141)

39

NHEL ④ 41.1

NHEL ① 149.7

NHEL ⑨ 111.0

30 31

6

→ F-7

3 3 E

R 3 4 E

(181)

SCANNED
DEC 0 2 2002

F-6

#1963
9270
NHEL
2
21.6
NHEL
1
34.2

#1275
352
2
NHEL
7.4

NHEL
3
91.1

HEL
3
5.8
NHEL
4
62.4
NHEL
5
66.8

#1766
9268

HEL
8
4.8

2.7

SCANNED
DEC 0 2 2002

13.6

73.1

#1254
147

#1875
9316

NHEL
3
15.7

NHEL
2
21.1

HEL
1
38.9

7
21.6 HEL

6
62.9 HEL

5
44.3

36

#1244
161

#2197
9269

39

HEL
2
7.2

HEL
3
50.1

Hay Stack

NHEL
1
50.7

Ditch (live)

HEL
4
27.2

40

HEL
1
63.8

live Ditch

waste Ditch

flood

HEL
5
49.5

NHEL
6
25.2

HEL
7
80.9

HEL
8
128.5

NHEL
1
111.0 live

37.5

36

R 33 E

530.3 ac.
560

SCANNED
DEC 12 2002

35

36

#1063
(926?)

NHEL
②
59.0

39

NHEL
①
59.8

38

SCANNED
DEC 0 2 2002

NHEL
②
21.6

NHEL
③
93.0

39

40

40

36

NHEL
④
86.0

Blair Parker
trans. to
Fremont

see aerial for this section 1

other photo portion of

#1220
(923)

NHEL
②
7[illegible]

①
6.9

HEL

#1
(92[illegible]

TOPO W38
7N 33E

POU 00005
POU 00189

POU 00189

7N

6N

R 33 E
R 34 E

31-7286
31-7315
31-2366(2)
31-7294
31-7286
31-7315

Well
31-7019

31-2409

TOPO W88
6N 33E

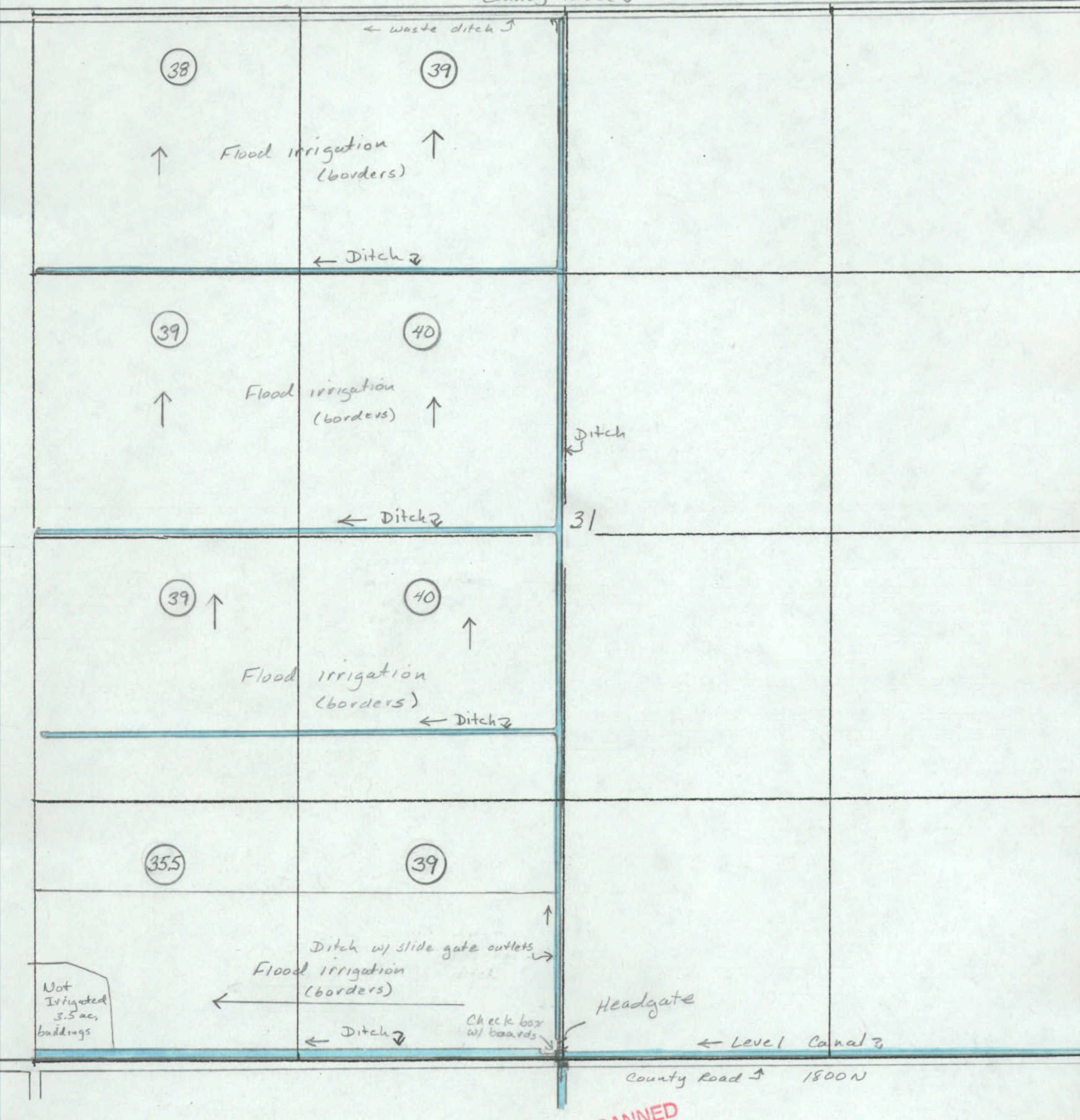
CRYSTAL LAKE CANAL

SCANNED
DEC 10 2002

AdjForm2

A31-00005
Claim Number A31-00189

Level Canal Co.
6 of 6



Scale 8.0" = 1.0 Mile

SCANNED
DEC 0 2 2002

Township 7N Range 34E Section 31 DATE 7-14-94

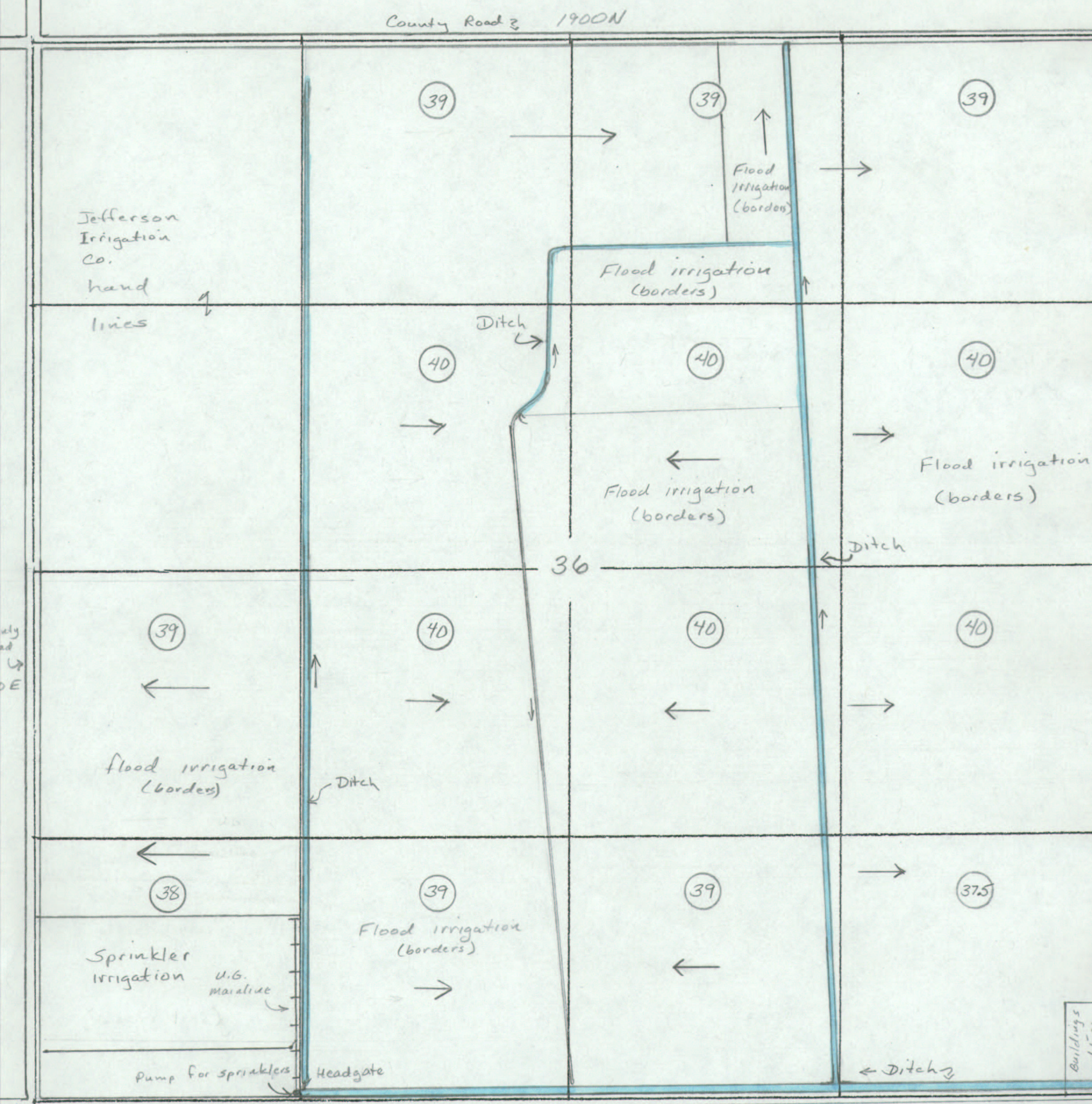
OPQ MAP # W38 NAPP # W38SE AGENT Fritschler Norquest

AdjForm2

Claim Number A31-00005 A31-00189

Level Canal Co.

5 of 6



Scale 8.0" = 1.0 Mile

SCANNED
DEC 0 2 2002

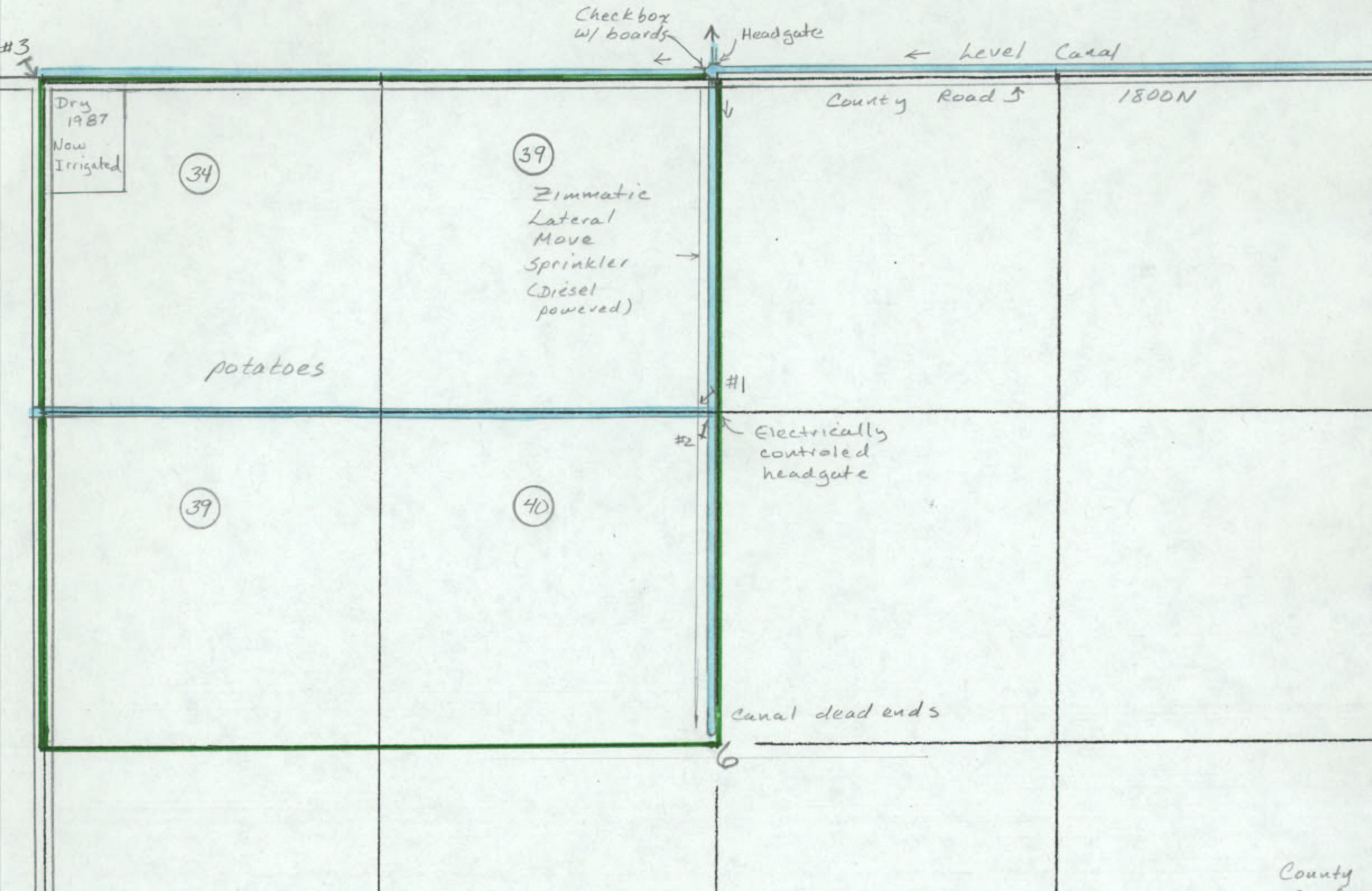
Township 7N Range 33E Section 36 DATE 7-14-94

OPQ MAP # W38 NAPP # W38SE AGENT Fritschle & Norquest

AdjForm2

Claim Number A31-00005
A31-00189

Level Canal Co.
4 of 6



Scale 8.0" = 1.0 Mile

Township 6N Range 34E Section 6

DATE 7-14-94

OPQ MAP # W38 NAPP # W38 SW

AGENT Fritschle & Norquest

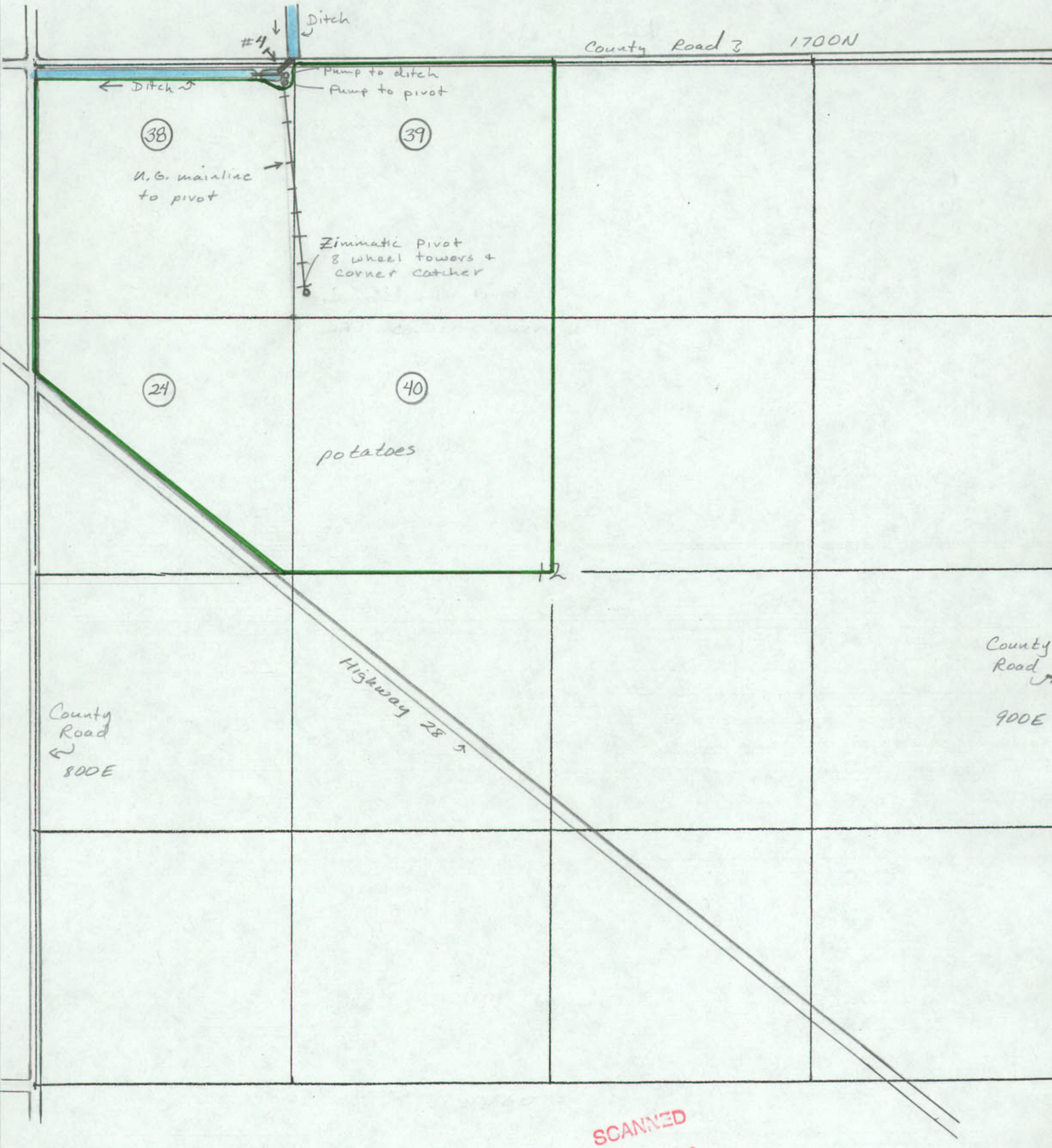
SCANNED
DEC 02 2002

AdjForm2

Claim Number A31-00005 A31-00189

Level Canal Co.

3 of 6



Scale 8.0" = 1.0 Mile

Township 6N Range 33E Section 12

DATE 7-14-94

OPQ MAP # W88 NAPP # W88 NE

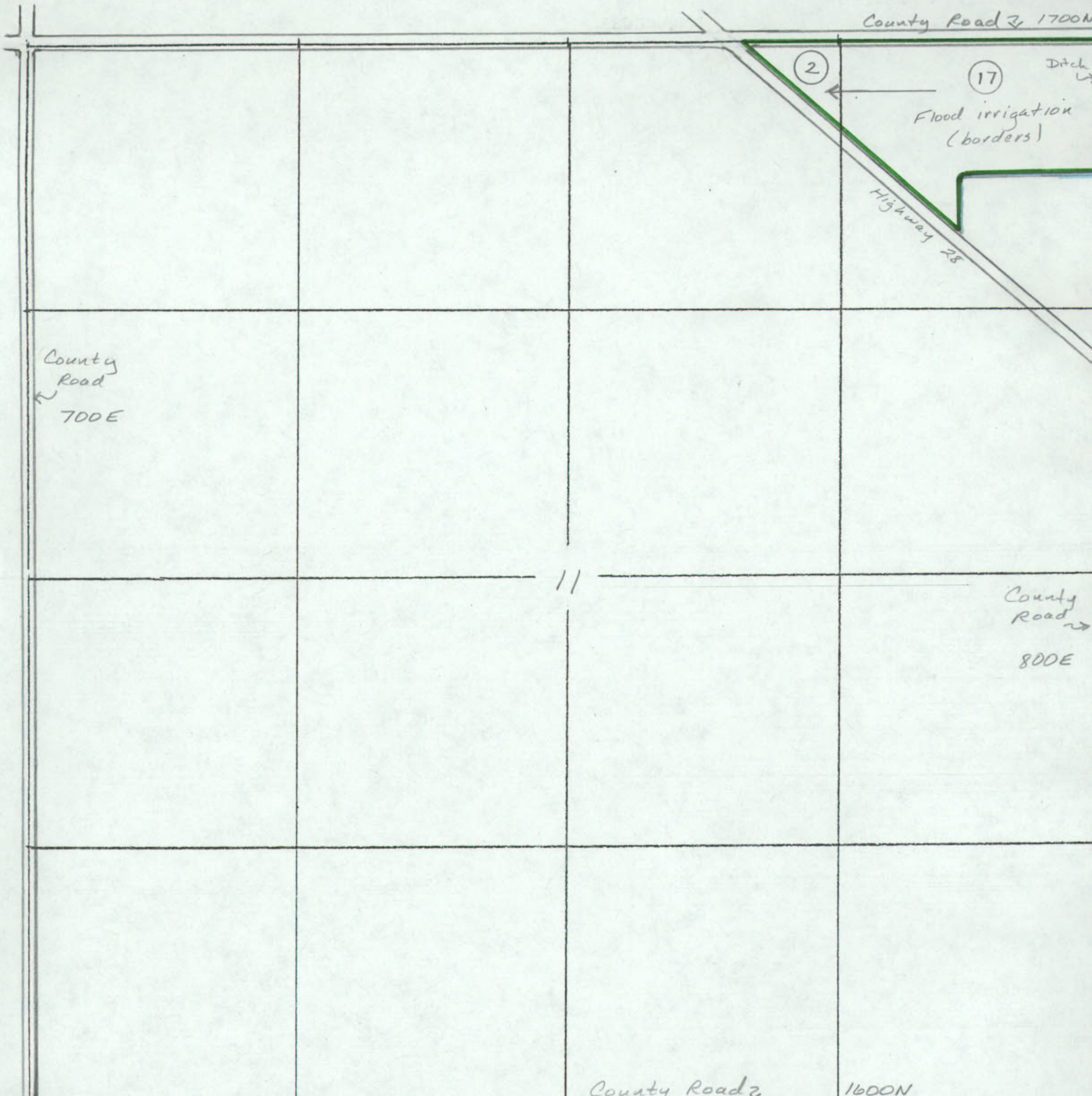
AGENT Fritschle & Norquest

SCANNED
DEC 0 2 2002

A31-00005 Level Canal Co.

AdjForm2 Claim Number A31-00189

2 of 6



Scale 8.0" = 1.0 Mile

Township 6N Range 33E Section 11

OPQ MAP # W88 NAPP # W88 NE

DATE 7-14-94

AGENT Fritschle & Norquest

SCANNED
DEC 0 2 2002

AdjForm2

Claim Number A31-00005 A31-00189

Level Canal Co.

1 of 6

#5

County Road ↴ 1800N

Headgate ↴

38

39

Zimmatic Lateral Move Sprinkler ↶

39

38 Zimmatic Lateral Move sprinkler ↴

↑

↑ Ditch

39

40

40

36

Potatoes

Dry 1987

Now Irrigated

Ditch →

County Road ↴ 900E

potatoes

1

39

40

Oldham A31-02406

38

39

Pivot

Well

County Road ↴ 1700N

Scale 8.0" = 1.0 Mile

Township 6N Range 33E Section 1

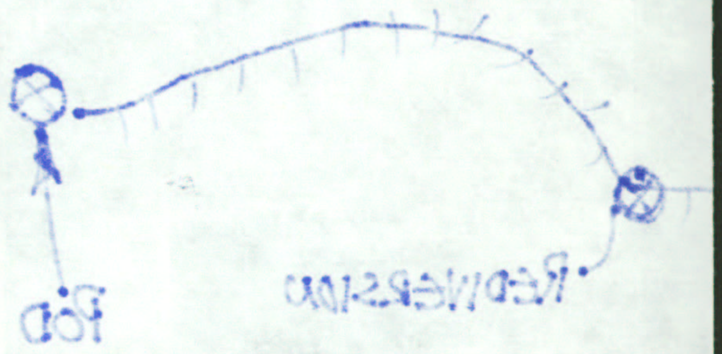
DATE 7-1-94

OPQ MAP # W38 & W88 NAPP # W-38 SE

AGENT Fritschle & Norquest

SCANNED DEC 0 2 2002

MICROFILMED
NOV 17 1992



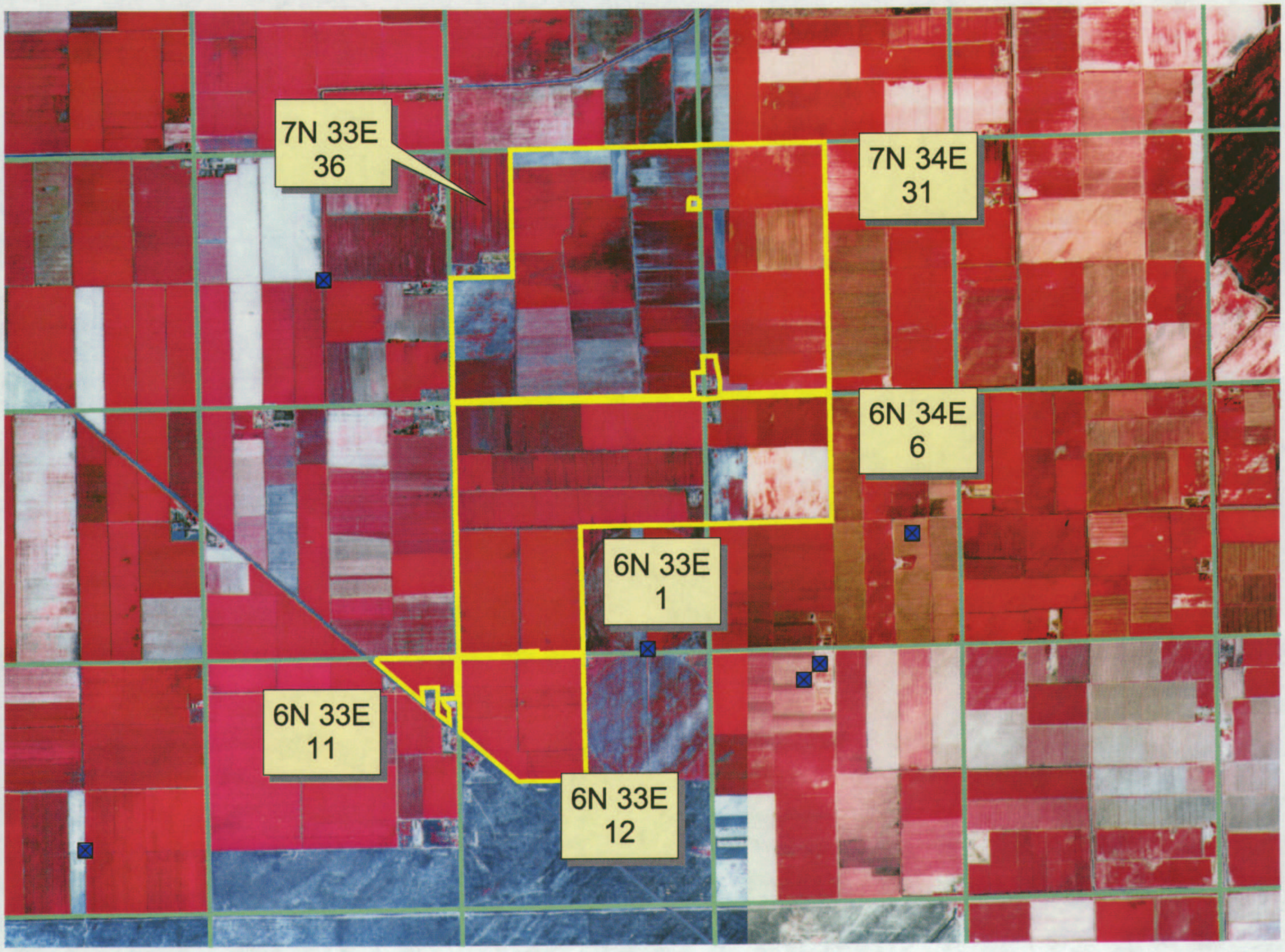
SCANNED
DEC 17 2002

T7N
T6N
36
31
1
6
2
11
12
7
R 33 E
R 34 E
40
25
5
4784
4785
4783
4786
4781
BM
Well
Wells
KBM 4783
BM 4785
1697
LEVEL CANAL COMPANY
CRYSTAL LAKE CANAL
4858
4857
800 000 FEET

Idaho Department of Water Resources

Water Right 31-5, 31-189, 31-11335

Township 6N and 7N,
Range 33E and 34E



0 1320 Feet

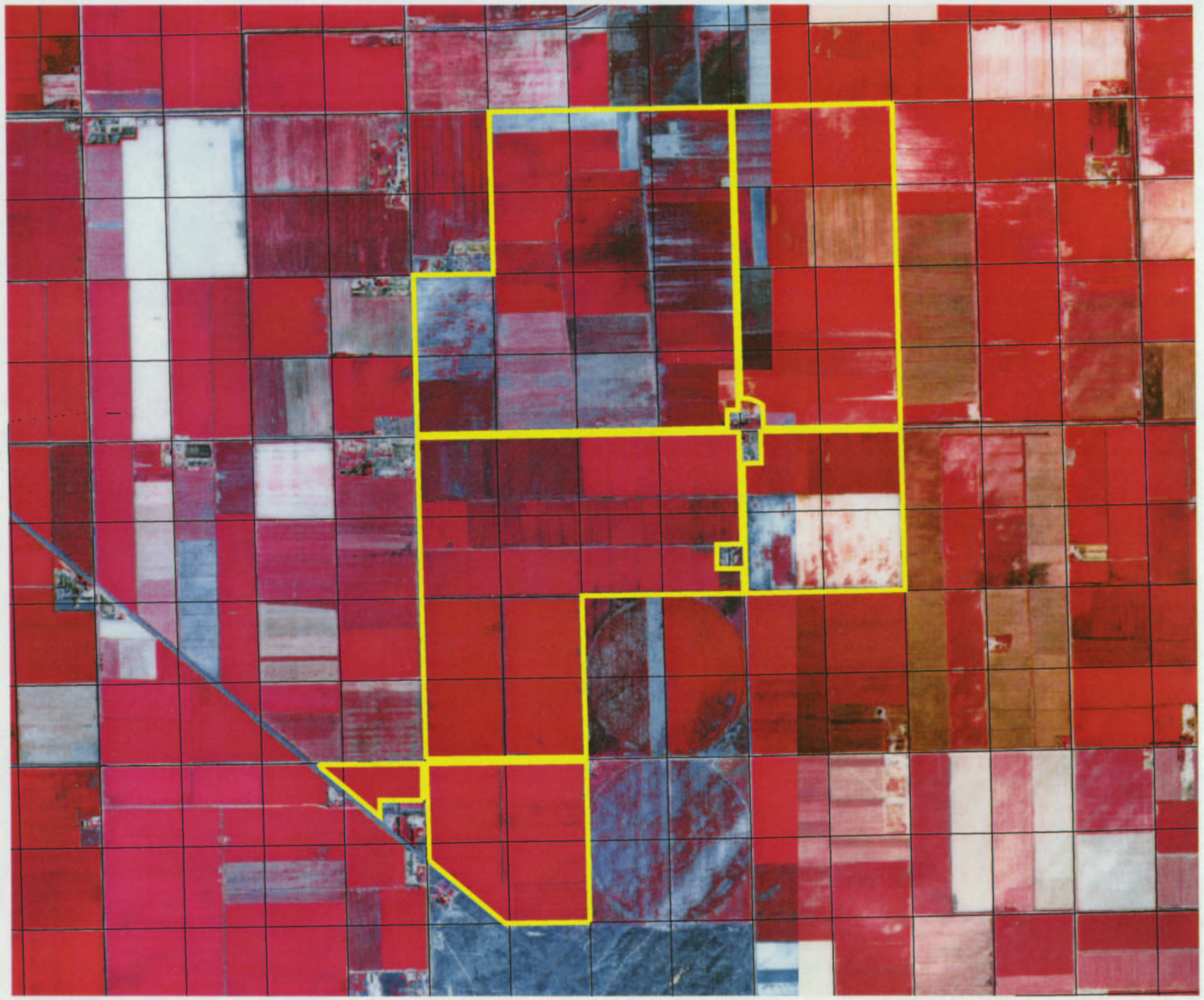
- Point of Diversion
- Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines

N
W E
S

SCANNED
DEC 0 2 2002

GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 10/2000

Level Canal Company

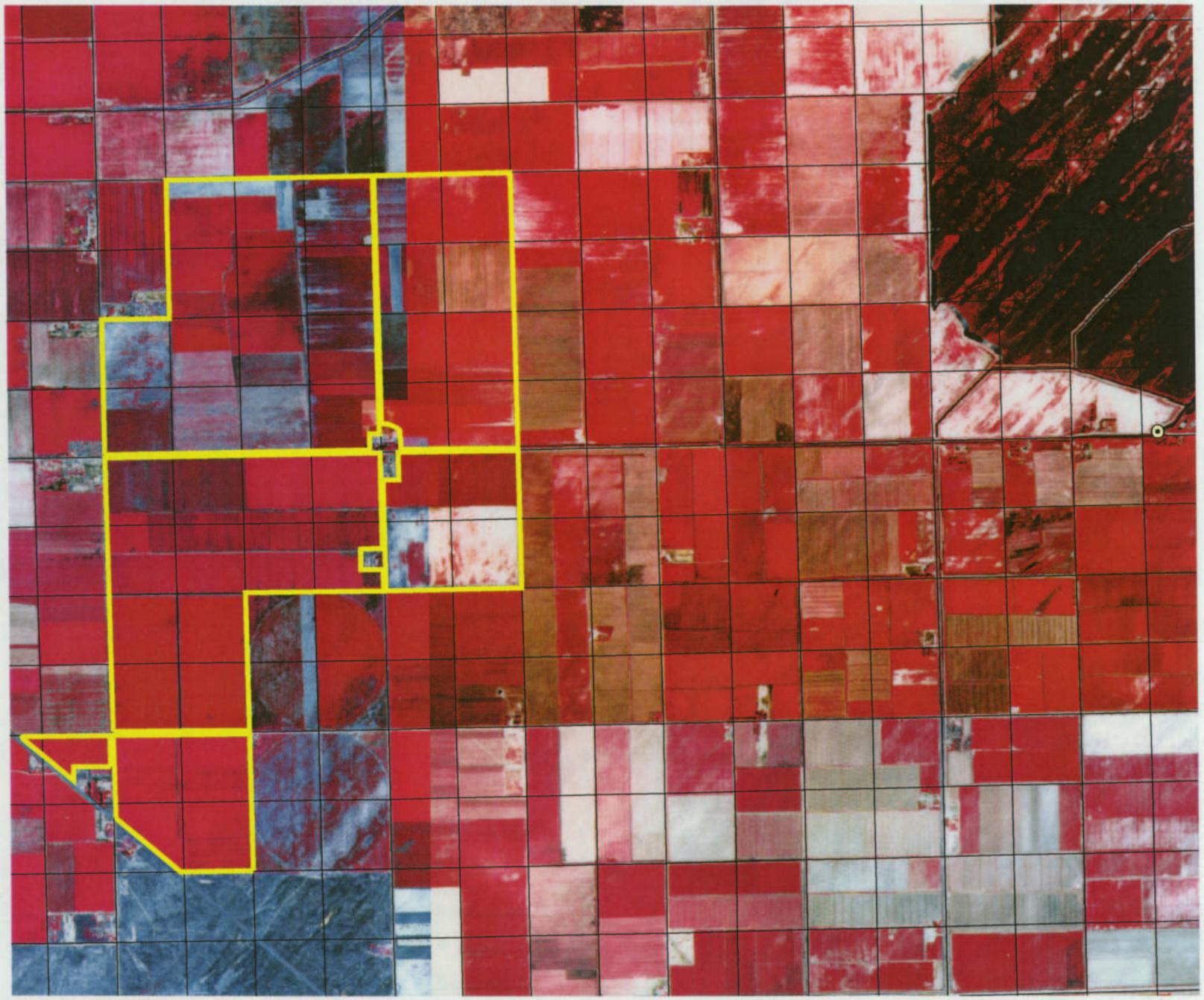


1 0 1 2 Miles

N
W E
S

SCANNED
DEC 0 2 2002

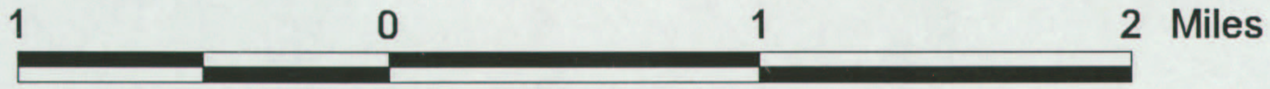
Level Canal Company



T06N R33E S01
S11 & S12
T06N R34E S06
T07N R33E S36
T07N R34E S31

SCANNED
DEC 0 2 2002





Map prepared by: Carter Fritsclhle
Date prepared: 05-19-99
1987-1988 NAPP photography

NHEL
③
93.0

See other aerial photo
for this portion of sec. 1

NHEL
④
86.0

Blair Parker
trans. to
Fremont

39

40

38

39

NHEL

NHEL

2

11

12

Ditch

2

17

E-7

Ditch

38

39

24

NHEL

40

NHEL

#3829
92H
②
7.7

③
7.1

④
5.4

③
7.3
(4.3)

SCANNED
DEC 0 2 2002

12/2/02 LP

This file has 2 oversized maps that need scanned - the machine is currently broken - I will send this file as soon as I can complete it.

Lori Pew

AJ0743NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

07/22/94 13:45:26
Page 1

Will require remarks

Water Right Number - R31-00189 Prefix Translation: RESEARCH Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
LEVEL CANAL CO INC		1 - C/O WILFRIED SCHMITT 2 - HC 63 BOX 2585 3 - City- MONTEVIEW State- ID Zip- 83435 Phone - 208-663-4679
*** O - ORIGINAL OWNER ***		
OWSLEY	BERTHA I.	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
09/17/1912	15 EASTERN	D - DECREED	

Source	Tributary
MUD LAKE	SINKS

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
07N	34E	33	SW SE SE			(51) JEFFERSON

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/01	11/01	22.400	

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
22.400		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06N	33E	1	NE NE	1	38.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	NW NE	2	39.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	SW NE		40.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	SE NE		36.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	NE NW	3	39.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	NW NW	4	38.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	SW NW		39.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	SE NW		40.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	NE SW		40.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	NW SW		39.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	SW SW		38.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	SE SW		39.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	11	NE NE		17.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	11	NW NE		2.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	12	NE NW		39.0	01	IRRIGATION	(51) JEFFERSON

Water right number - R31-00189 Prefix Translation: RESEARCH

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06N	33E	12	NW NW		38.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	12	SW NW		24.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	12	SE NW		40.0	01	IRRIGATION	(51) JEFFERSON
06N	34E	6	NE NW	3	39.0	01	IRRIGATION	(51) JEFFERSON
06N	34E	6	NW NW	4	34.0	01	IRRIGATION	(51) JEFFERSON
06N	34E	6	SW NW	5	39.0	01	IRRIGATION	(51) JEFFERSON
06N	34E	6	SE NW		40.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	NE NE		39.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	NW NE		39.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	SW NE		40.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	SE NE		40.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	NE NW		39.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	SE NW		40.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	NE SW		40.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	NW SW		39.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	SW SW		38.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	SE SW		39.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	NE SE		40.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	NW SE		40.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	SW SE		39.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	SE SE		37.5	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	NE NW		39.0	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	NW NW	1	38.0	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	SW NW	2	39.0	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	SE NW		40.0	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	NE SW		40.0	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	NW SW	3	39.0	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	SW SW	4	35.5	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	SE SW		39.0	01	IRRIGATION	(51) JEFFERSON

Total Acres: 1636.0

+ - - Diversion Means - WATER FROM LAKE FREE FLOWS INTO CHANNEL TO LIFT PUMPS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 31-0005 AND 52% INTEREST IN INDEPENENT WATER USERS ASSOC.

Remarks

TRANS. TO CHANGE P/D.
AC. IRR.=700.
EXPANSION ASSUMED TO BE COVERED BY PRESUMPTION FLAG D

copied to comments

Old Water Right Numbers

No Old Water Right Numbers Found

Water right number - R31-00189 Prefix Translation: RESEARCH

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
ERNEST SAUVE	W.H. ABBOTT	11/01/1930

Comments
No Comments Found

Audit Fields
07/22/94 FRITSCHL

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- ~~00/00/0000~~ 7-14-94	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/21/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E004221	Water District	- 31
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	- D
				Notice of Error Flag	-

work with me
use

08/08/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-189

NAME AND ADDRESS: LEVEL CANAL CO INC
C/O WILFRIED SCHMITT
HC 63 BOX 2585
MONTEVIEW, ID 83435

SOURCE: MUD LAKE TRIBUTARY: SINKS

5510.4 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-11335 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 5510.4 AF.

PRIORITY DATE: 09/17/1912

POINT OF DIVERSION: T07N R34E S34 NWSWSW Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01-01 12-31	5,510.40 AFY
IRRIGATION FROM STORAGE	04-01 10-31	5,510.40 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within JEFFERSON County

T06N R33E S1	LOT 1	NENE	40	T06N R33E S1	LOT 2	NWNE	40
T06N R33E S1		SWNE	40	T06N R33E S1		SENE	40
T06N R33E S1	LOT 3	NENW	40	T06N R33E S1	LOT 4	NWNW	39
T06N R33E S1		SWNW	39	T06N R33E S11		NENE	23
T06N R33E S11		NWNE	2	T06N R33E S11		SENE	0.1
T06N R33E S1		SENW	40	T06N R33E S1		NESW	40
T06N R33E S1		NWSW	39	T06N R33E S1		SWSW	38
T06N R33E S1		SESW	39	T06N R33E S12		NENW	39
T06N R33E S12		NWNW	39	T06N R33E S12		SWNW	25
T06N R33E S12		SENW	40	T06N R34E S6	LOT 3	NENW	40
T06N R34E S6	LOT 4	NWNW	39	T06N R34E S6	LOT 5	SWNW	39
T06N R34E S6		SENW	40	T07N R33E S36		NENE	40
T07N R33E S36		NWNE	40	T07N R33E S36		SWNE	40
T07N R33E S36		SENE	40	T07N R33E S36		NENW	40
T07N R33E S36		SENW	40	T07N R33E S36		NESW	40
T07N R33E S36		NWSW	39	T07N R33E S36		SWSW	38
T07N R33E S36		SESW	38	T07N R33E S36		NESE	40
T07N R33E S36		NWSE	40	T07N R33E S36		SWSE	38
T07N R33E S36		SESE	36	T07N R34E S31		NENW	40
T07N R34E S31	LOT 1	NWNW	39	T07N R34E S31	LOT 2	SWNW	39
T07N R34E S31		SENW	40	T07N R34E S31		NESW	40
T07N R34E S31	LOT 3	NWSW	39	T07N R34E S31	LOT 4	SWSW	33
T07N R34E S31		SESW	37				

1656.1 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1440 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 31-5 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1440 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1656.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-5, 31-11335.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THE ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE AGREEMENT OF WATER RIGHT OWNERS REGARDING MUD LAKE WATER DELIVERY DATED APRIL 17, 2001, WHICH IS ON FILE IN THE RECORDS OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, IDAHO, INSTRUMENT NUMBER 307626.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM INDEPENDENT WATER USERS OF MUD LAKE INC.

FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS CALCULATED BY MULTIPLYING A DIVERSION RATE OF 22.4 CFS BY A FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO SEPTEMBER 1ST).

08/08/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-189

NAME AND ADDRESS: LEVEL CANAL CO INC
C/O WILFRIED SCHMITT
HC 63 BOX 2585
MONTEVIEW ID 83435

SOURCE: MUD LAKE TRIBUTARY: SINKS

QUANTITY: 5,510.40 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-11335 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 5510.4 AF.

PRIORITY DATE: 09/17/1912

POINT OF DIVERSION:

T07N R34E S34 NWSWSW Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01/01 12/31	5,510.40 AFY
IRRIGATION FROM STORAGE	04/01 10/31	5,510.40 AFY

PLACE OF USE: IRRIGATION FROM STORAGE Within JEFFERSON County

T06N R33E S01 Lot 1	NENE	40.0	T06N R33E S01 Lot 2	NWNE	40.0
T06N R33E S01	SWNE	40.0	T06N R33E S01	SENE	40.0
T06N R33E S01 Lot 3	NENW	40.0	T06N R33E S01 Lot 4	NWNW	39.0
T06N R33E S01	SWNW	39.0	T06N R33E S11	NENE	23.0
T06N R33E S11	NWNE	2.0	T06N R33E S11	SENE	0.1
T06N R33E S01	SENW	40.0	T06N R33E S01	NESW	40.0
T06N R33E S01	NWSW	39.0	T06N R33E S01	SWSW	38.0
T06N R33E S01	SESW	39.0	T06N R33E S12	NENW	39.0
T06N R33E S12	NWNW	39.0	T06N R33E S12	SWNW	25.0
T06N R33E S12	SENW	40.0	T06N R34E S06 Lot 3	NENW	40.0
T06N R34E S06 Lot 4	NWNW	39.0	T06N R34E S06 Lot 5	SWNW	39.0
T06N R34E S06	SENW	40.0	T07N R33E S36	NENE	40.0
T07N R33E S36	NWNE	40.0	T07N R33E S36	SWNE	40.0
T07N R33E S36	SENE	40.0	T07N R33E S36	NENW	40.0
T07N R33E S36	SENW	40.0	T07N R33E S36	NESW	40.0
T07N R33E S36	NWSW	39.0	T07N R33E S36	SWSW	38.0
T07N R33E S36	SESW	38.0	T07N R33E S36	NESE	40.0
T07N R33E S36	NWSE	40.0	T07N R33E S36	SWSE	38.0
T07N R33E S36	SESE	36.0	T07N R34E S31	NENW	40.0
T07N R34E S31 Lot 1	NWNW	39.0	T07N R34E S31 Lot 2	SWNW	39.0
T07N R34E S31	SENW	40.0	T07N R34E S31	NESW	40.0
T07N R34E S31 Lot 3	NWSW	39.0	T07N R34E S31 Lot 4	SWSW	33.0
T07N R34E S31	SESW	37.0			

IRRIGATION STORAGE same as IRRIGATION FROM STORAGE

1656.1 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1440 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 31-5 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1440 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1656.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-5, 31-11335.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
THE ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE AGREEMENT OF WATER RIGHT OWNERS REGARDING MUD LAKE WATER DELIVERY DATED APRIL 17, 2001, WHICH IS ON FILE IN THE RECORDS OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, IDAHO, INSTRUMENT NUMBER 307626.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS CALCULATED BY MULTIPLYING A DIVERSION RATE OF 22.4 CFS BY A FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO SEPTEMBER 1ST).
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM INDEPENDENT WATER USERS OF MUD LAKE INC.
~~RIGHT NO. 31-11335 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.~~

03/16/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-189

NAME AND ADDRESS: LEVEL CANAL CO INC
C/O WILFRIED SCHMITT
HC 63 BOX 2585
MONTEVIEW, ID 83435

SOURCE: MUD LAKE TRIBUTARY: SINKS

5510.4 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-11335 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 5510.4 AF.

PRIORITY DATE: 09/17/1912

POINT OF DIVERSION: T07N R34E S34 NWSWSW Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01-01 12-31	5,510.40 AFY
IRRIGATION FROM STORAGE	04-01 10-31	5,510.40 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within JEFFERSON County

T06N R33E S1	LOT 1	NENE	40	T06N R33E S1	LOT 2	NWNE	40
T06N R33E S1		SWNE	40	T06N R33E S1		SENE	40
T06N R33E S1	LOT 3	NENW	40	T06N R33E S1	LOT 4	NWNW	39
T06N R33E S1		SWNW	39	T06N R33E S11		NENE	23
T06N R33E S11		NWNE	2	T06N R33E S11		SENE	0.1
T06N R33E S1		SENW	40	T06N R33E S1		NESW	40
T06N R33E S1		NWSW	39	T06N R33E S1		SWSW	38
T06N R33E S1		SESW	39	T06N R33E S12		NENW	39
T06N R33E S12		NWNW	39	T06N R33E S12		SWNW	25
T06N R33E S12		SENW	40	T06N R34E S6	LOT 3	NENW	40
T06N R34E S6	LOT 4	NWNW	39	T06N R34E S6	LOT 5	SWNW	39
T06N R34E S6		SENW	40	T07N R33E S36		NENE	40
T07N R33E S36		NWNE	40	T07N R33E S36		SWNE	40
T07N R33E S36		SENE	40	T07N R33E S36		NENW	40
T07N R33E S36		SENW	40	T07N R33E S36		NESW	40
T07N R33E S36		NWSW	39	T07N R33E S36		SWSW	38
T07N R33E S36		SESW	38	T07N R33E S36		NESE	40
T07N R33E S36		NWSE	40	T07N R33E S36		SWSE	38
T07N R33E S36		SESE	36	T07N R34E S31		NENW	40
T07N R34E S31	LOT 1	NWNW	39	T07N R34E S31	LOT 2	SWNW	39
T07N R34E S31		SENW	40	T07N R34E S31		NESW	40
T07N R34E S31	LOT 3	NWSW	39	T07N R34E S31	LOT 4	SWSW	33
T07N R34E S31		SESW	37				

1656.1 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1440 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1653.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-5, 31-11335.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM INDEPENDENT WATER USERS OF MUD LAKE INC.

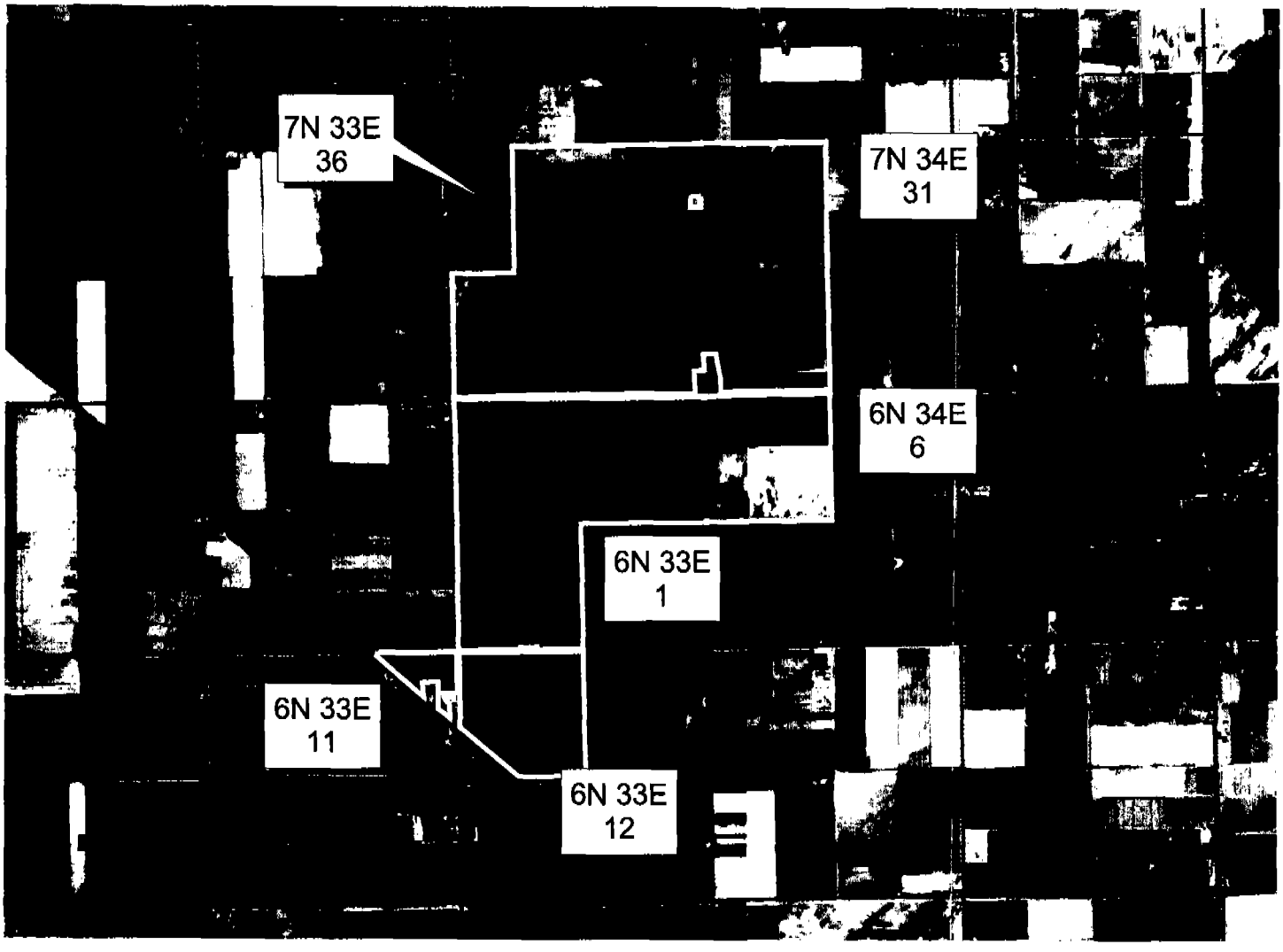
FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS CALCULATED BY MULTIPLYING A DIVERSION RATE OF 22.4 CFS BY A FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO SEPTEMBER 1ST).

RIGHT NO. 31-11335 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

Idaho Department of Water Resources

Water Right 31-5, 31-189, 31-11335

Township 6N and 7N,
Range 33E and 34E



0 1320 Feet

- ⊙ Point of Diversion
- ● Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines

N
W E
S

GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 10/2000

12/22/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-189

NAME AND ADDRESS: LEVEL CANAL CO INC
C/O WILFRIED SCHMITT
HC 63 BOX 2585
MONTEVIEW, ID 83435

SOURCE: MUD LAKE TRIBUTARY: SINKS

5510.4 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-11335 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 5510.4 AF.

PRIORITY DATE: 09/17/1912

POINT OF DIVERSION: T07N R34E S34 NWSWSW Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE		QUANTITY
IRRIGATION STORAGE	01-01	12-31	5,510.40 AFY
IRRIGATION FROM STORAGE	04-01	10-31	5,510.40 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within JEFFERSON County

T06N R33E S1	LOT 1	NENE	40	T06N R33E S1	LOT 2	NWNE	40
T06N R33E S1		SWNE	40	T06N R33E S1		SENE	40
T06N R33E S1	LOT 3	NENW	40	T06N R33E S1	LOT 4	NWNW	39
T06N R33E S1		SWNW	39	T06N R33E S11		NENE	23
T06N R33E S11		NWNE	2	T06N R33E S11		SENE	0.1
T06N R33E S1		SENW	40	T06N R33E S1		NESW	40
T06N R33E S1		NWSW	39	T06N R33E S1		SWSW	38
T06N R33E S1		SESW	39	T06N R33E S12		NENW	39
T06N R33E S12		NWNW	39	T06N R33E S12		SWNW	25
T06N R33E S12		SENW	40	T06N R34E S6	LOT 3	NENW	40
T06N R34E S6	LOT 4	NWNW	39	T06N R34E S6	LOT 5	SWNW	39
T06N R34E S6		SENW	40	T07N R33E S36		NENE	39
T07N R33E S36		NWNE	40	T07N R33E S36		SWNE	40
T07N R33E S36		SENE	40	T07N R33E S36		NENW	40
T07N R33E S36		SENW	40	T07N R33E S36		NESW	40
T07N R33E S36		NWSW	39	T07N R33E S36		SWSW	38
T07N R33E S36		SESW	38	T07N R33E S36		NESE	40
T07N R33E S36		NWSE	40	T07N R33E S36		SWSE	38
T07N R33E S36		SESE	36	T07N R34E S31		NENW	40
T07N R34E S31	LOT 1	NWNW	39	T07N R34E S31	LOT 2	SWNW	39
T07N R34E S31		SENW	40	T07N R34E S31		NESW	40
T07N R34E S31	LOT 3	NWSW	39	T07N R34E S31	LOT 4	SWSW	31
T07N R34E S31		SESW	37				

1653.1 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1440 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1653.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-5, 31-11335.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM INDEPENDENT WATER USERS OF MUD LAKE INC.

FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS CALCULATED BY MULTIPLYING A DIVERSION RATE OF 22.4 CFS BY A FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO SEPTEMBER 1ST).

RIGHT NO. 31-11335 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-189

Owner Type	Name and Address
Current Owner	LEVEL CANAL CO INC C/O WILFRIED SCHMITT HC 63 BOX 2585 MONTEVIEW, ID 83435 (208)663-4679
Original Owner	BERTHA I OWSLEY

Priority Date: 09/17/1912
Basis: Decreed
Status: Valid

Source	Tributary to
MUD LAKE	SINKS

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION STORAGE	01/01	12/31		5510.4 AFA	
IRRIGATION FROM STORAGE	04/01	10/31		5510.4 AFA	
Total Diversion				5510.4 AFA	

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	34E	34	NW SW SW		JEFFERSON

IRRIGATION FROM STORAGE Use:
Acre Limit: 1653.1

Place(s) of use:

Place of Use Legal Description: IRRIGATION FROM STORAGE JEFFERSON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06N	33E	1	1	NENE	40	2	NWNE	40		SWNE	40		SENE	40
			3	NENW	40	4	NWNW	39		SWNW	39			
		11		NENE	23		NWNE	2		SENE	0.1			
		1		SENW	40									
				NESW	40		NWSW	39		SWSW	38		SESW	39
		12		NENW	39		NWNW	39		SWNW	25		SENW	40
	34E	6	3	NENW	40	4	NWNW	39	5	SWNW	39		SENW	40
07N	33E	36		NENE	39		NWNE	40		SWNE	40		SENE	40
				NENW	40		SENW	40						
				NESW	40		NWSW	39		SWSW	38		SESW	38
				NESE	40		NWSE	40		SWSE	38		SESE	36
	34E	31		NENW	40	1	NWNW	39	2	SWNW	39		SENW	40
				NESW	40	3	NWSW	39	4	SWSW	31		SESW	37

Total Acres: 1653.1

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

2.	C03	RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3.	E20	USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM INDEPENDENT WATER USERS OF MUD LAKE INC.
4.	C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1.	Quantity	USE OF THIS RIGHT WITH RIGHT NO. 31-11335 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 5510.4 AF.
2.	Place of Use - Irrigation	THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1440 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3.	Explanatory	RIGHT NO. 31-11335 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
4.	Place of Use - Irrigation	USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1653.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-5, 31-11335.

Comments:

Author	Date	Subject	Comment
FRITSCHL	7/22/94	COPIED FROM REMARKS	TRANS. TO CHANGE P/D. AC. IRR.=700. EXPANSION ASSUMED TO BE COVERED BY PRESUMPTION FLAG D
bcontor	11/1/00	Rate/Volume	See comments to 31-5; recommended as a volume instead of a rate per documentation in file "Mud Lake Storage"
bcontor	11/1/00	Acres	Carefull reading of decree points to 1440 acres. Transfer places 31-5 as 100% overlap, so combined total of 31-5 and 31-189 considered to be 1440. PPU is 1653.1; 213.1 acres of enlargement recommneded under 31-11335.

Dates:

Licensed Date:
Claim Received Date: 11/21/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date: 11/01/1930
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
POD	11/1/00 8:07:48 AM	bcontor			In Process
POU	11/1/00 10:06:24 AM	bcontor			In Process
Priority Date	11/1/00 8:02:33 AM	bcontor			In Process
Quantity	11/1/00 10:22:46 AM	bcontor			In Process
Season	11/1/00 10:21:55 AM	bcontor			In Process
Source	11/1/00 8:08:19 AM	bcontor			In Process
Summary	11/1/00 10:23:39 AM		11/1/00 10:23:39 AM	bcontor	Complete
Use	11/1/00 10:11:10 AM	bcontor			In Process

Other Information:

Receipt Number(s):
State or Federal: S
Owner Name Connector: OR
Overall Max Diversion Rate:
Overall Max Diversion Volume: 5510.4
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plantiff:

Decree Defendant:
PresumptionFlag:
Notice of Error Flag:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
POD	11/1/00 10:57:44 AM	bcontor	Edited PLS
POD	11/1/00 10:57:17 AM	bcontor	Edited point location
POD	11/1/00 8:07:46 AM	bcontor	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (NO) The claimed Point of Diversion can not be verified using the water right file. 4. (YES) There is evidence that there has been a change in the Point of Diversion. 5. (YES) The change can be verified as an accomplished transfer. Comment for 5: GIS and field inspection. Note that old POD is now within the lake; lake configuration has changed due to creation of diked "west lake." Point claimed as a point of rediversion is actually on a private canal and not a rediversion from a public source and therefore does not need to be recommended. 6. (YES) The file contains all the necessary information to verify the POD. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POD	11/1/00 8:05:00 AM	bcontor	Edited PLS
POU	11/1/00 10:06:22 AM	bcontor	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (NO) The claimed POU can not be verified using the water right file. 5. (YES) There is evidence that there has been a change in the POU. 6. (NO) The change can not be verified as an accomplished transfer. 7. (YES) The change is an enlargement of the POU. Comment for 7: GIS, 1980 NAPP 8. (YES) An enlargement claim was filed. 9. (YES) The file contains all the necessary information to verify the POU. 12. (YES) POU remark was required. 13. (NO) POU condition was not required.
Priority Date	11/1/00 8:02:31 AM	bcontor	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
Quantity	11/1/00 10:22:43 AM	bcontor	1. (NO) The basis of claim is not beneficial use. 2. (NO) The basis of claim is not a posted notice. 3. (YES) The parent right has a diversion rate and/or diversion volume. 4. (YES) The claimed diversion rate and/or volume can be verified using the water right file. 7. (YES) The parent right has an annual diversion volume limit. 8. (YES) Irrigation is a purpose of use. 9. (YES) Quantity remark was required. 10. (NO) Quantity condition was not required.
Season	11/1/00 10:21:51 AM	bcontor	1. (NO) The basis of claim is not beneficial use. 2. (NO) The parent right does not have a period of use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (YES) The file contains all the necessary information to verify the period of use. 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined. 13. (YES) Irrigation is the purposed use.

			15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.
Source	11/1/00 8:08:18 AM	bcontor	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a source. 3. (YES) The claimed source can be verified using the water right file. Comment for 7: Field inspection 8. (YES) The source is surface water. 9. (YES) The source is a standard source. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Summary	11/1/00 10:23:37 AM	bcontor	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (NO) Additional condition was not required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.
Use	11/1/00 10:11:09 AM	bcontor	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a purpose of use. 3. (NO) The claimed purpose of Use can not be verified using the water right file. 4. (NO) There is not evidence that there has been a change to the purpose of use. 9. (YES) The file contains all the necessary information to verify the purpose of use. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A31-00189**
Date Received: 11/21/1988
Receipt No: E004221
Received By: EBJ

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

A3100189

1. Name: LEVEL CANAL COMPANY, INC. 208-663-4679
   Address: C/O WILFRIED SCHMITT
   HC 63, BOX 2585
   MONTEVIEW, ID 83435

2. Date of Priority: SEP 17, 1912

3. Source: MUD LAKE Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	34E	33	SW	SW	SW	R	JEFFERSON
			SE	SE	SE		JEFFERSON

5. Description of diverting works:
   WATER FROM LAKE FREE FLOWS INTO CHANNEL TO REDIVERSION PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	22.400		

7. Total Quantity Appropriated is:
   22.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 4242.5 Acre Feet Per Annum.

9. Non-irrigation uses:
   NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	33E	1	NE	NE		IRR	40.0

MICROFILMED
NOV 17 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
06N	33E	1	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	480.0
		11	SW	NE		IRR	5.0
			SE	NE		IRR	25.0
						Section Acres	30.0
		12	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	25.0
			SE	NW		IRR	40.0
						Section Acres	145.0
	34E	6	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	160.0
07N	33E	36	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0

MICROFILMED
NOV 17 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
07N	33E	36	SW	SE		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		560.0
	34E	31	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
					Section Acres		320.0
					Total Acres		1695.0

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
    31-0005 AND 52% INTEREST IN INDEPENENT WATER USERS ASSOC.

14. Remarks:
    TRANS. TO CHANGE P/D.
    AC. IRR.=700.
    EXPANSION ASSUMED TO BE COVERED BY PRESUMPTION FLAG D

15. Basis of Claim: DECREED
    Case Number:
    Court :
    Decree date: 11/01/1930

ERNEST SAUVE — Decree Plaintiff

vs

W.H. ABBOTT — Decree Defendant

MICROFILMED
NOV 17 1992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am President of
Title
Level Canal Co. Inc., that I have signed the foregoing
Organization
document in the space below as President of
Title
Level Canal Co. Inc and that the statements contained in the
Organization
foregoing document are true and correct.

Wilfried Schmitt
Signature of Authorized Agent

President - Level Canal Co. Inc
Title and Organization

11-21-88
Date

State of Idaho)
) SS.
County of Bonneville)

Subscribed and sworn (or affirmed) before me this 21 day
of November 19 88

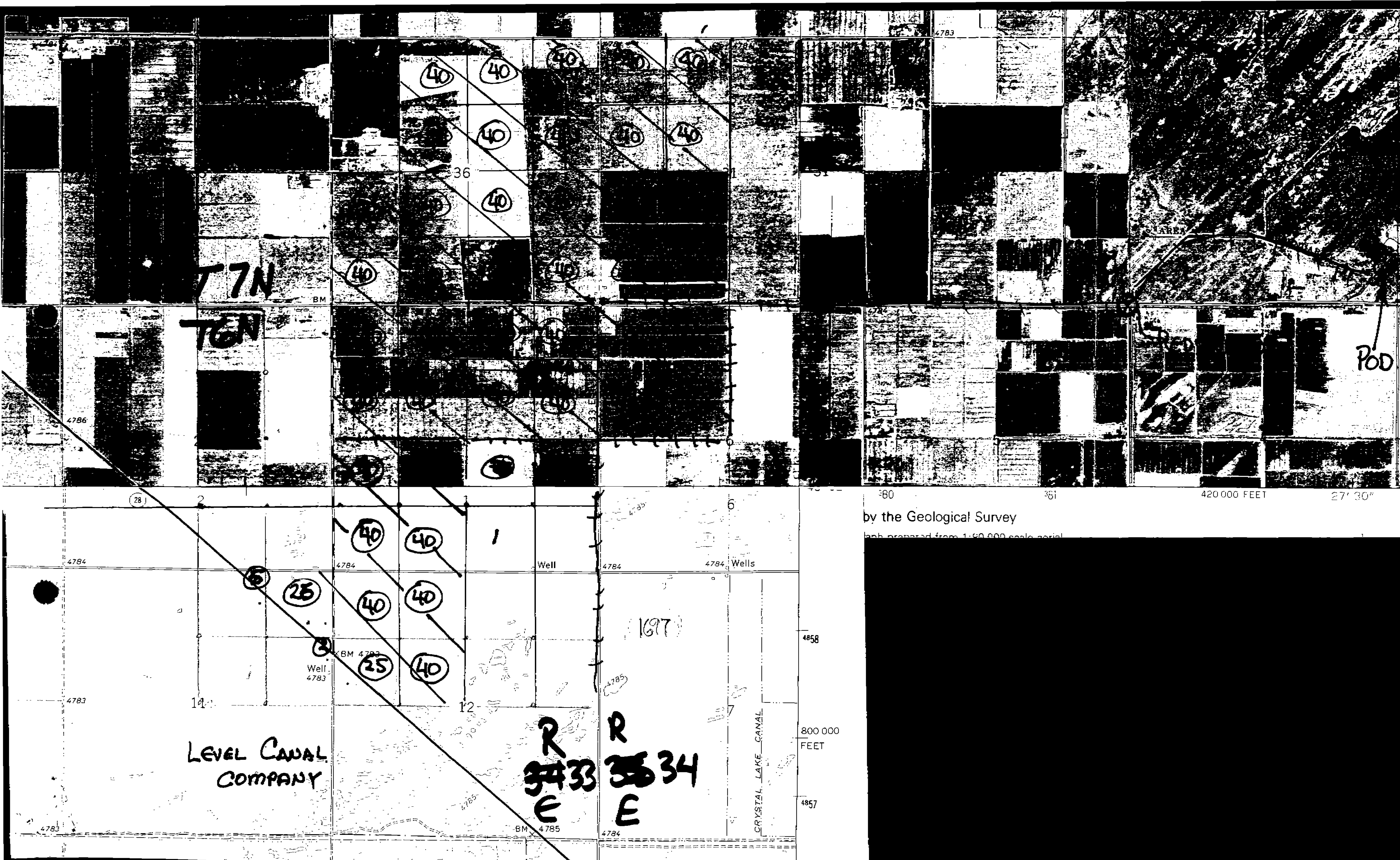
Seal

Notary Public

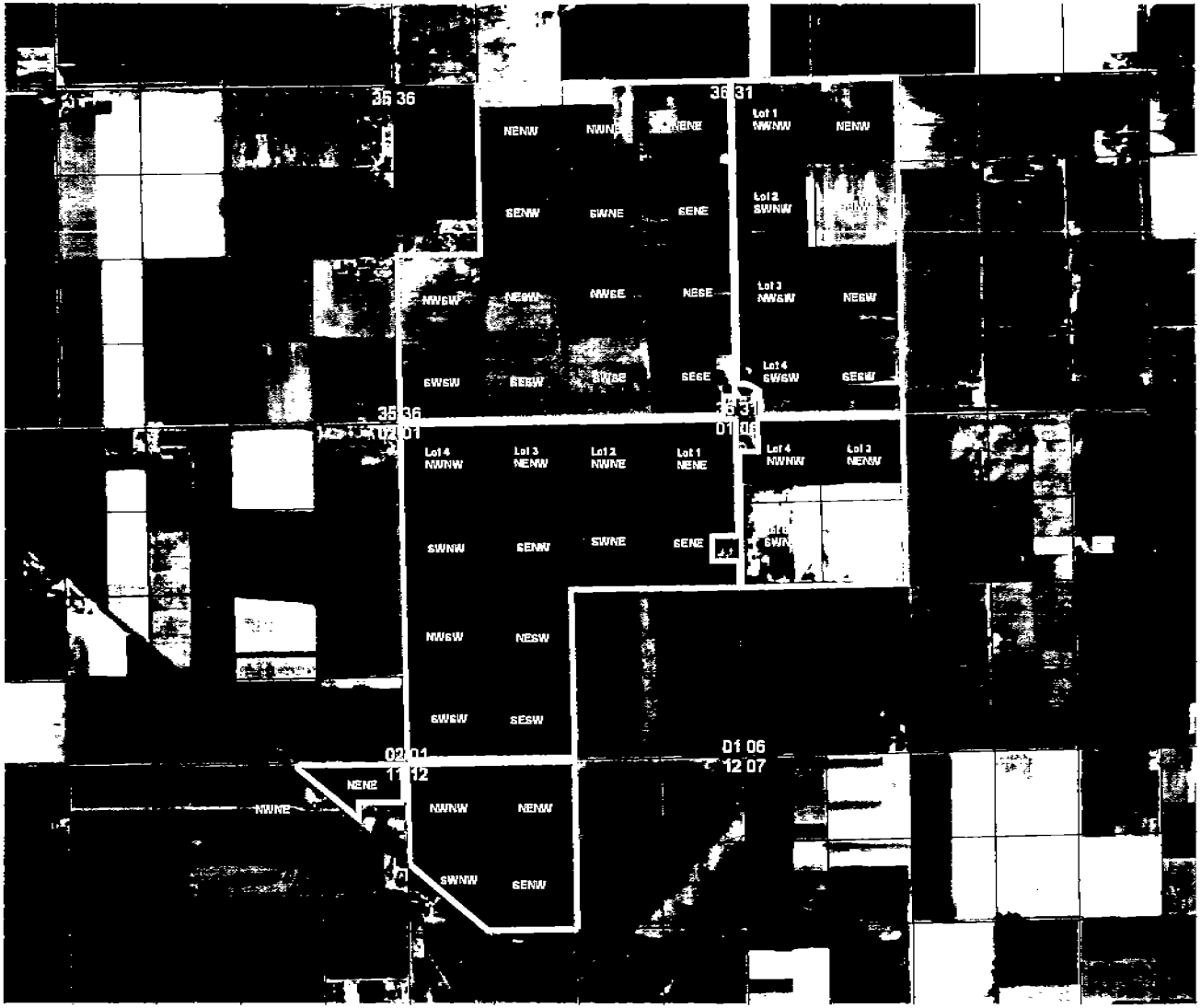
Residing at Idaho Falls, Id

My Commission Expires 22 Aug 1994

MICROFILMED
NOV 17 1992


T7N
T6N
36
31
4783
4786
4784
4785
BM
Well
Wells
(28)
2
1
6
11
12
7
BM 4783
Well 4783
BM 4785
1697
CRYSTAL LAKE CANAL
4858
4857
800 000 FEET
361
420 000 FEET
27' 30"
by the Geological Survey
LEVEL CANAL COMPANY
R 33 E
R 34 E
POD

Level Canal Company



T06N R33E S01
S11 & S12
T06N R34E S06
T07N R33E S36
T07N R34E S31

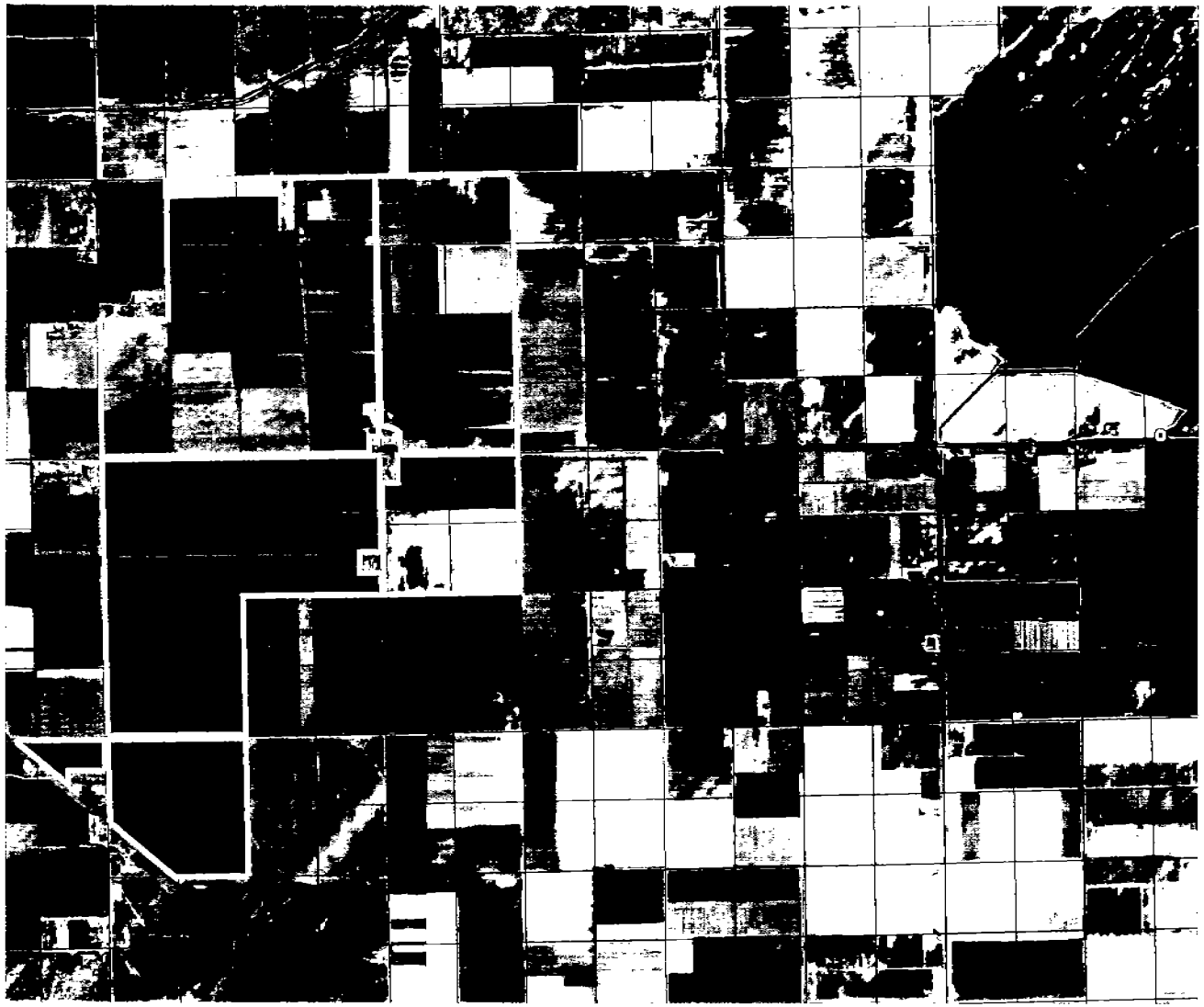
N
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0.8 0 0.8 1.6 Miles

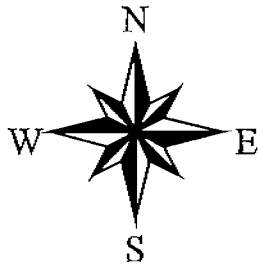
Draft of
irrigated acres
Not a recommendation

Map prepared by: Carter Fritschle
Date prepared: 05-19-99
1987-1988 NAPP photography

Level Canal Company



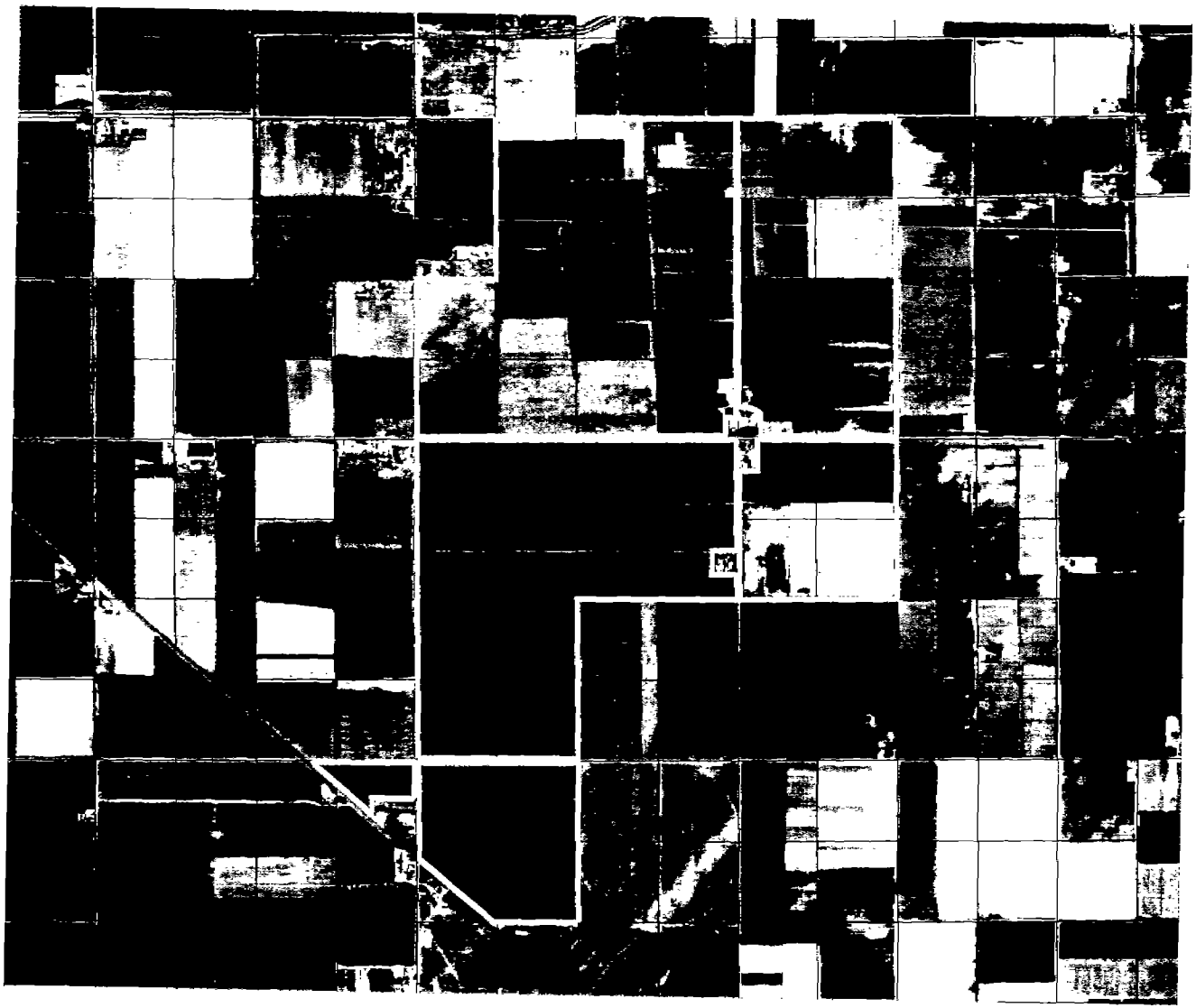
T06N R33E S01
S11 & S12
T06N R34E S06
T07N R33E S36
T07N R34E S31



1 0 1 2 Miles

Map prepared by: Carter Fritsclhle
Date prepared: 05-19-99
1987-1988 NAPP photography

Level Canal Company



1 0 1 2 Miles

N
W E
S

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/95

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A51-00139

LAST: OWSLEY FIRST: BERTHA I.
ADDRESS:
CITY: ~~N/A~~ X STATE: ID ZIP: ~~N/A~~ 0
PHONE NUMBER: 208-000-0000

OWNER CODE: D

LAST: LEVEL CANAL COMPANY X INC X FIRST:
ADDRESS: C/O WILFRIED SCHMITT
AC 65 X BOX 2585
CITY: MONTEVIEW STATE: ID ZIP: 83435
PHONE NUMBER: 208-563-4679

OWNER CODE: C

	DATABASE	FIELD EXAMINER
FIELD EXAM REQUIRED?		
VERIFICATION REQUIRED DUE TO REMARKS?	Y	N

CLAIM REMARKS: TRANS. TO CHANGE P/D.
AC. IRR.=700.
EXPANSION ASSUMED TO BE COVERED BY PRESUMPTION FLAG D

copy to comments

SCANNED
DEC 0 2 2004

FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A31-00189

CONTACT PERSON: None

PHONE NUMBER: (___) ___-____

DATE OF FIELD EXAM: 2/14/97

APPOINTMENT MADE: Y(__) N(X)

TIME: ___:___ A(__) P(__)

ACCOMPANIED BY: _____

PHONE NUMBER: (___) ___-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

SCANNED
DEC 0 2 2002

PRIORITY DATE REVIEW PAGE

CLAIM NUMBER: A51-00189

A. AJ CLAIM: # A31-00189 PRIORITY DATE: 09-17-1912 STAGE: D

B. WR RECORD: # 31-00189 PRIORITY DATE: 09-17-1912 STAGE: D

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N)	N	N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(__) N(X)
IF YES EXPLAIN.

NOTES: Claimed priority date matches decreed priority date.

RECOMMENDED PRIORITY DATE:
09-17-1912

REVIEWED BY CA DATE 7-22-94

POINT OF DIVERSION REVIEW SHEET

CLAIM NUMBER: A31-30189

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-00189	07N	34E	33	SW	SW	SW		JEFFERSON
A31-00189	07N	34E	33	SE	SE	SE		JEFFERSON

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A31-00005	NONE

WR RECORDS IN SAME 40 ACRE TRACT

31-00005

SOURCE: MUD LAKE

TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-00189	07N	34E	33		SE	SE		JEFFERSON

OTHER WR RECORDS WITH SAME WR POD

NONE

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A31-00005	NONE

SOURCE: MUD LAKE

TRIB: SINKS

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	Y
DUE TO SOURCE DISCREPANCY? (Y/N)	N	N

NOTES:

P.O.D. verified by field exam and Q.Q W39

POINT OF DIVERSION REVIEW SHEET CONTINUED CLAIM NUMBER: 431-30139

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
7N	34E	33	SW	SE	SE	---	Jefferson	
---	---	---	---	---	---	---	---	
---	---	---	---	---	---	---	---	
---	---	---	---	---	---	---	---	
---	---	---	---	---	---	---	---	
---	---	---	---	---	---	---	---	

SOURCE: MUD LAKE TRIB: SINKS

REVIEWED BY: CF DATE: 7-21-94

SYSTEM DESCRIPTION:

4 lift pumps - lift water approx. 6' from lake to canal.

Pump #1 Fairbanks Morse motor (no HP or S.N.) No make or SN for pump

Pump #2 25 HP motor (S.N. 778170-1) Agripropeller pump (S.N. 12)

Pump #3 25HP motor (U.S. Motors, SN. 1153723) Wintroath pump (SN. C9088)

Pump #4 25 HP motor (U.S. Motors, SN 928910) Agripump (S.N. R983)

Gravity flow canal from pumping station. There was a pump to recover seepage in the NENE of Sec. 4 T 6N R34E. Takeouts from the canal include headgates and pumps.

PLACE OF USE REVIEW SHEET CLAIM NUMBER: A31-00189

A. ROOT WATER RIGHT NUMBERS: A31-00189

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		WR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06N	33E	1	NE	NE	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			NE	NE		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	NE	1	INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			38
			NE	NE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NE	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	NW	NE	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			NW	NE		OWSLEY , BERTHA I.			31-02102	/40.0			
			NW	NE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NW	NE	2	INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			39
			NW	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NW	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	SW	NE	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/	41.0		
			SW	NE		OWSLEY , BERTHA I.			31-02102	/40.0			
			SW	NE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			40
			SW	NE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SW	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	SE	NE	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/	40.0		
			SE	NE		OWSLEY , BERTHA I.			31-02102	/40.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			36
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	NE	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			NE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NE	NW	3	INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			39
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	NW	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			NW	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NW	NW	4	INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			38
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	SW	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/	39.0		
			SW	NW		OWSLEY , BERTHA I.			31-02102	/40.0			39

CLAIM NUMBER: A31-00189

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		AR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
05N	33E	1	SE	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/	38.0		40
			SE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
05N	33E	1	NE	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	37.0		40
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NE	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	NW	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	38.0		39
			NW	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NW	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NW	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	SW	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	37.0		38
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SW	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	SE	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	37.0		39
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SE	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
05N	33E	11	SW	NE		LEVEL CANAL COMPANY, INC.	A31-00189	/ 5.0	-	/	42.0		0
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-02243	/20.0	31-02243	/40.0			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-02420	/20.0	31-02420	/40.0			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-02451	/20.0	31-02451	/40.0			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-07527	/20.0	31-07527	/40.0			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-10522	/20.0	-	/			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-10523	/20.0	-	/			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-10524	/20.0	-	/			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-10525	/20.0	-	/			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-10551	/20.0	-	/			
			SW	NE		JEFFERSON IRRIGATION CO.			31-02312	/40.0			
			SW	NE		JEFFERSON IRRIGATION CO.			31-02313	/40.0			
			SW	NE		BIRD , LEROY			31-07019	/20.0			
			SW	NE		JEFFERSON IRRIGATION CO.			31-02311	/40.0			
06N	33E	11	SE	NE		LEVEL CANAL COMPANY, INC.	A31-00189	/25.0	-	/	33.3		0

Map with claim did not include these lands ∴ this appears to be an error made at the time of filing

See NWNE + NWNE Sec. 11

CLAIM NUMBER: A31-00189

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		AR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-02243	/ 5.0	31-02243	/40.0			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-02420	/ 5.0	31-02420	/40.0			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-02451	/ 5.0	31-02451	/40.0			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-07327	/ 5.0	31-07327	/35.0			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-10322	/ 5.0	-	/			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-10323	/ 5.0	-	/			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-10324	/ 5.0	-	/			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-10325	/ 5.0	-	/			
			SE	NE		ALLEN , J. EMERY	A31-10482	/	-	/			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-10661	/ 5.0	-	/			
			SE	NE		JEFFERSON IRRIGATION CO.			31-02312	/40.0			
			SE	NE		JEFFERSON IRRIGATION CO.			31-02313	/40.0			
			SE	NE		BIRD , LEROY			31-07019	/34.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/ 5.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-00337A	/ 5.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/ 5.0			
			SE	NE		JEFFERSON IRRIGATION CO.			31-02311	/40.0			
06N	33E	12	NE	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	59.0		
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			39
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	12	NW	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	56.0		
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			38
			NW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	12	SW	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/25.0	-	/	50.0		
			SW	NW		MITCHELL , T.C.	A31-10452	/	-	/			24
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/25.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/25.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/25.0			
05N	33E	12	SE	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	35.0		
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			40
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	34E	6	NE	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			NE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	NW	3	INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			39
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	34E	6	NW	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			NW	NW	4	OWSLEY , BERTHA I.			31-02102	/40.0			34

CLAIM NUMBER: A31-00189

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		AR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/39.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/39.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/39.0			
06N	34E	6	SW	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			SW	NW		OWSLEY , BERTHA I.			31-02102	/40.0			39
			SW	NW	5	INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/39.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/39.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/39.0			
06N	34E	6	SE	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/	43.0		
			SE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			40
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
07N	33E	36	NE	NE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	42.0		
			NE	NE		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	NE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			39
			NE	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	NE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NE	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
07N	33E	36	NW	NE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	39.0		
			NW	NE		OWSLEY , BERTHA I.			31-02102	/40.0			
			NW	NE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NW	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			39
			NW	NE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NW	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
07N	33E	36	SW	NE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	39.0		
			SW	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SW	NE		OWSLEY , BERTHA I.			31-02102	/40.0			40
			SW	NE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SW	NE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	33E	36	SE	NE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	41.0		
			SE	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SE	NE		OWSLEY , BERTHA I.			31-02102	/40.0			40
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	33E	36	NE	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	39.0		39

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		#R #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	NW	✓	JEFFERSON IRRIGATION COMPANY	A31-02243	/40.0	-	/			
			NE	NW		JEFFERSON IRRIGATION COMPANY	A31-02420	/40.0	-	/			
			NE	NW		JEFFERSON IRRIGATION COMPANY	A31-02451	/40.0	-	/			
			NE	NW		JEFFERSON IRRIGATION COMPANY	A31-10322	/40.0	-	/			
			NE	NW		JEFFERSON IRRIGATION COMPANY	A31-10323	/40.0	-	/			
			NE	NW		JEFFERSON IRRIGATION COMPANY	A31-10324	/40.0	-	/			
			NE	NW		JEFFERSON IRRIGATION COMPANY	A31-10325	/40.0	-	/			
			NE	NW		LEVEL CANAL COMPANY, INC.	A31-00005	/40.0	31-00005	/40.0			
			NE	NW		JEFFERSON IRRIGATION COMPANY	A31-10661	/40.0	-	/			
			NE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	33E	36	SE	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	40.0		40
			SE	NW		LEVEL CANAL COMPANY, INC.	A31-00005	/40.0	31-00005	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	33E	36	NE	SW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	39.0		40
			NE	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NE	SW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	33E	36	NW	SW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	37.0		39
			NW	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NW	SW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NW	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NW	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	33E	36	SW	SW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	36.0		38
			SW	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SW	SW		OWSLEY , BERTHA I.			31-02102	/40.0			
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
07N	33E	36	SE	SW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	37.0		39
			SE	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SE	SW		OWSLEY , BERTHA I.			31-02102	/40.0			
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			

PLACE OF USE REVIEW SHEET CONTINUED CLAIM NUMBER: A31-00189

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		WR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	33E	36	NE	SE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	40.0		40
			NE	SE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NE	SE		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	SE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NE	SE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NE	SE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
07N	33E	36	NW	SE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	39.0		40
			NW	SE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NW	SE		OWSLEY , BERTHA I.			31-02102	/40.0			
			NW	SE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NW	SE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NW	SE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
07N	33E	36	SW	SE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	39.0		39
			SW	SE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SW	SE		OWSLEY , BERTHA I.			31-02102	/40.0			
			SW	SE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	SE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SW	SE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
07N	33E	36	SE	SE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	40.0		37.5
			SE	SE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SE	SE		OWSLEY , BERTHA I.			31-02102	/40.0			
			SE	SE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	SE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SE	SE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
07N	34E	31	NE	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/	40.0		39
			NE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	34E	31	NW	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			38
			NW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NW	NW	1	OWSLEY , BERTHA I.			31-02102	/40.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	34E	31	SW	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			39
			SW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SW	NW	2	OWSLEY , BERTHA I.			31-02102	/40.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			

PLACE OF USE REVIEW SHEET CONTINUED CLAIM NUMBER: A31-00189

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		AR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	34E	31	SE	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/	42.0		
			SE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			40
			SE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	34E	31	NE	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	35.0		
			NE	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			40
			NE	SW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	34E	31	NW	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/			
			NW	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NW	SW		OWSLEY , BERTHA I.			31-02102	/40.0			39
			NW	SW	3	INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NW	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NW	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	34E	31	SW	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			SW	SW		SCHMITT , IRENE	A31-10473	/	-	/			
			SW	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SW	SW	4	OWSLEY , BERTHA I.			31-02102	/40.0			35.5
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	34E	31	SE	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	58.0		
			SE	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SE	SW		OWSLEY , BERTHA I.			31-02102	/40.0			39
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
		TOTAL ACRES				A31-00189			1695.00		1269.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y( ) N( )
IF YES SEE ~~ATTACHED SHEET:~~ below

C. FIELD EXAM REQUIRED? FIELD POU COUNTY: JEFFERSON

	DATABASE	FIELD EXAMINER
DUE TO POU DISCREPANCY? (Y/N)	Y	-----

6N 33E 11 NENE
NWNE

17
2
1636

Map with claim did include these lands

CLAIM NUMBER: A31-30189

PRESUMPTION FLAG: B

NOTES:

Place of use determined by field exam, and O.Q.s W38J W39, W88, W89; ASCS aerial photos; and NAPPS W385W, W38 SE and W88 NE. The reduction in acres resulted in removal of lands dedicated to permanent roadways and areas occupied by buildings and farmsteads.

RECOMMENDATIONS:

TOTAL ACRES: 1440 ac. within 1636 ac. p.p.o.u.

REVIEWED BY: CA DATE: 7-22-94

See attached P.O.U. analysis

PURPOSES REVIEW SHEET

CLAIM NUMBER: A31-00189

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-00189	IRRIGATION	FROM 04-01 TO 11-01	22.400 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED		22.400 CFS

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
31-00189	IRRIGATION	FROM 05-01 TO 09-01	22.400 CFS
31-00189	STOCKWATER	FROM TO	22.400 CFS
31-00189	DOMESTIC	FROM TO	22.400 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED		22.400 CFS

PRESUMPTION FLAG: ~~B~~ C

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	N
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	N
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(__) N(X)

RECOMMEND TO WR STANDARDS OR OTHER? Y(X) N(__) EXPLAIN IN NOTES, BELOW.

NOTES:

DIVERSION AMOUNT REVIEW SHEET

CLAIM NUMBER: 431-00189

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(X) N(__)

AJ TOTAL CLAIMED DIVERSION RATE: 22.400 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 22.400 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)	Y	N

B. FLOW MEASUREMENT

MEASUREMENT METHOD N.A., SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N(__) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 31-0005 AND 52% INTEREST IN INDEPENDENT WATER USERS ASSOC.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-00189	MUD LAKE	LEWEL CANAL COMPANY, INC.	22.400	0.013		
A31-00005	MUD LAKE	LEWEL CANAL COMPANY, INC.	1.500	0.020		
A31-02243	GROUNDWATER	JEFFERSON IRRIGATION COMPANY	40.000	0.003		
A31-02420	WASTE WATER CANAL SEEPAGE	JEFFERSON IRRIGATION COMPANY	15.000	0.001		
A31-02451	GROUNDWATER	JEFFERSON IRRIGATION COMPANY	10.000			
A31-07327	GROUNDWATER	JEFFERSON IRRIGATION COMPANY	59.500	0.005		
A31-10322	GROUNDWATER	JEFFERSON IRRIGATION COMPANY	70.000	0.006		
A31-10323	GROUNDWATER	JEFFERSON IRRIGATION COMPANY	29.000	0.002		
A31-10324	SPRINGS UNNAMED STREAMS GROUNDWATER	JEFFERSON IRRIGATION COMPANY	60.000	0.005		
A31-10325	SPRINGS UNNAMED STREAMS GROUNDWATER	JEFFERSON IRRIGATION COMPANY	40.000	0.003		
A31-10651	GROUNDWATER	JEFFERSON IRRIGATION COMPANY	40.000	0.003		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A51-10432	DOMESTIC	ALLEN , J. EMERY	FROM 01-01 TO 12-31	.100 CFS	
A51-10432	STOCKWATER	ALLEN , J. EMERY	FROM 01-01 TO 12-31	.020 CFS	
A51-10462	DOMESTIC	MITCHELL , T.C.	FROM 01-01 TO 12-31	.040 CFS	
A51-10462	STOCKWATER	MITCHELL , T.C.	FROM 01-01 TO 12-31	.020 CFS	
A51-10473	DOMESTIC	SCHMITT , IRENE	FROM 01-01 TO 12-31	.040 CFS	
A51-10473	STOCKWATER	SCHMITT , IRENE	FROM 01-01 TO 12-31	.190 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE
ACRES 1636 X 0.02 CFS/ACRE = 32.72 CFS
(TAKEN FROM P/U REVIEW)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(__) N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(__) N(__) ***

1B. CALCULATIONS

22.4 + 1.6 = 24.0 < 32.72

2. IRRIGATION CONSUMPTIVE USE

All rights

CLAIMED CONSUMPTIVE USE = 4242.5 AF/A

ACRES _____ X CONSUMPTIVE VOL. ~~AF/A FOR AREA~~ _____ =

1636 AC. × 2.5 = 4090 AF

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(___) N(___)

31-000189

DIVERSION AMOUNT REVIEW SHEET CONTINUED

CLAIM NUMBER: A31-00189

TRANS. TO CHANGE P/D.
AC. IRR.=700. ? Nothing in WR record supports this.

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM	REC. PERIOD TO	REC. DIV RATE CFS DATABASE	REC. DIV RATE CFS EXAMINER	REC. DIV VOL. AF/A DATABASE	REC. DIV VOL. AF/A EXAMINER	REC. CONS. USE DATABASE	REC. CONS. USE EXAMINER
Irrigation				22.4				
TOTAL FOR THIS RIGHT								

In Remarks

REVIEWED BY: DATE:

Remarks

QNT	E04	22.4 cfs	31-00005 & 31-
POU1	K06	1440 Ac.	
	E14	1636 Ac.	31-00005 & 31-
CON	L24	4070 AF	31-00005 & 31-
EXP	F05	31-00005 & 31-	

BASIS OF CLAIM REVIEW SHEET CLAIM NUMBER: A31-00189

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	( )	( )
FORFEIT/ABANDON	( )	( )
ADDITIONAL DIV. AMOUNT	( )	( )

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-00189

	DATABASE	EXAMINER	
TOTAL DIVERSION RATE OF WR SPLITS	22.400	_____	CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-00189	22.400	-		31-00189	22.400
	TOTAL CFS	22.400				22.400

DIVERSION RATE REVIEW

	DATABASE	FIELD EXAMINER
DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)	Y	_____
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)		_____

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

QUICKLOOK INFORMATION

CLAIM NUMBER: 31-00189

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
MAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

PROFILE REPORT

CLAIM NUMBER: A31-00139

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	LEVEL CANAL COMPANY, INC. C/O WILFRIED SCHMITT HC 63, BOX 2585 MONTEVIEW ID 83435 (208) 665-4679	09/17/1912	IRRIGATION	04-01	11-01	22.40 CFS	
				TOTAL DIVERSION:		22.40 CFS	
				CONSUMPTIVE USE:			4242.5 AFA

WATER SOURCE: MUD LAKE TRIBUTARY TO: SINKS STAGE: DECREED

POINT(S) OF DIVERSION: T07N R34E S33 SESESE JEFFERSON COUNTY
POINT(S) OF RE-DIVERSION: T07N R34E S33 SWSWSW JEFFERSON COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

			NE					NW					SW					SE				
T	R	S	NENE LT	NENE AC	NWNE LT	NWNE AC	SWNE LT	SWNE AC	SENE LT	SENE AC	NENW LT	NENW AC	NWNW LT	NWNW AC	SWNW LT	SWNW AC	SENW LT	SENW AC	NESW LT	NESW AC	NWSW LT	NWSW AC	SWSW LT	SWSW AC	SESW LT	SESW AC	NESE LT	NESE AC	NWSE LT	NWSE AC	SWSE LT	SWSE AC	SESE LT	SESE AC	SUM
06N	33E	1		40		40		40		40		40		40		40		40															520.0
06N	34E	5										40				40		40															120.0
06N	33E	1																		40		40		40		40							160.0
07N	34E	31										40		40		40		40		40		40		40		40							320.0
07N	33E	35		40		40		40		40										40		40		40		40		40		40		40	480.0
06N	33E	12										40		40		25		40															145.0
																																TOTAL ACRES	1695.0

POU COUNTY: JEFFERSON

NON-IRRIGATION USES: NONE

OTHER RIGHTS: 31-0005 AND 52% INTEREST IN INDEPENENT WATER USERS ASSOC.

REMARKS: TRANS. TO CHANGE P/D.
AC. IRR.=700.
EXPANSION ASSUMED TO BE COVERED BY PRESUMPTION FLAG D

DATES: EXAM MADE DATE: VERIFIED DATE: 07/15/1985

MISC: WATER DISTRICT NUMBER: 31 FIELD INSPECTION FLAG: Y
PRESUMPTION FLAG: D

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

March 16, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LEVEL CANAL CO INC
C/O WILFRIED SCHMITT
HC 63 BOX 2585
MONTEVIEW ID 83435

RE: NOTICE OF ERROR

Dear Mr. Schmitt:

Water Agent Bryce Contor has finished reviewing your Notice of Error for water right numbers 31-00005, 31-00189 and 31-11335, and has adjusted the claims accordingly.

Enclosed for your records are copies of the recommendations and an aerial photo of the property.

If you have any questions feel free to contact Bryce Contor at this office.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION		COPY INCLUDED IN FILE?
(X) ORTHOPHOTOQUAD	DATE OF PHOTO 1967 (W88) 1980 (W38, W39, W89)	IDWR ID NO. W38, W39, W88 + W89	Y(X) N( )
( ) TOPOGRAPHIC	DATE FIELD CHECKED	IDWR ID NO.	Y( ) N( )
(X) NAPP	DATE OF PHOTO 1987	IDWR ID NO. W38 SW 4SE W88 NE W4SW	Y( ) N(X)
(X) ASCS AERIAL PHOTO	DATE OF PHOTO 1987		Y(X) N( )
( ) ASCS COLOR SLIDE	DATE OF PHOTO		Y( ) N( )
( ) BLM OR USFS AERIAL PHOTO	DATE OF PHOTO		Y( ) N( )
(X) TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY 1899		Y(X) N( )
( ) SCS SOIL SURVEY MAP	DATE ISSUED		Y( ) N( )
( ) SUBDIVISION PLAT MAP	DATE OF MAP		Y( ) N( )
( ) OTHER	DATE		Y( ) N( )
( ) OTHER	DATE		Y( ) N( )
( ) OTHER	DATE		Y( ) N( )

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION		NO. OF PAGES	NOTES
( ) LICENSING FIELD EXAM	DATE OF FIELD EXAM			
( ) WATER RIGHT LICENSE	DATE LICENSE SIGNED			
(X) IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED	5-12-1932	4+	4 pages + large map
( ) SYSTEM DESCRIPTION	DATE DRAWN			
(X) PHOTOGRAPHS	DATE(S) PHOTOS TAKEN	7-14-94	4	
( ) SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED			
( ) HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED			
( ) CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED			
( ) FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED			
(X) OTHER Field Notes	DATE	7-14-94	2	
( ) OTHER	DATE			

P.O.U. Analysis - Level Canal

CA 5-23-96

Level Canal Decreed Rights

31-00189	22.4 cfs	N½	Sec 1	6N 33E	320
		NW¼	Sec 6	6N 34E	160
			Sec 36	7N 33E	640
		N½	Sec 31	7N 34E	320
					1440

The affidavits submitted by M.M. Owsley and Bertha I. Owsley describe the p.o.u. for this right as shown above, which is the same as was decreed. The transfer was for a change in p.o.d. and should not be construed to reduce the p.o.u. as shown in Water Allocations records. Therefore, this right is for the irrigation of 1440 acres within the level canal's system.

31-00005	1.60 cfs	W½NW¼	Sec. 36 7N 3E	80
				80

SCANNED
DEC 1 2 2002

The transfer application states that this right was "Purchased to place on grounds not covered with water but within District." Therefore the Level Canal's rights are as follows:

A31-00189 22.4 cfs 1440 ac within 1636.7 ac. p.p.o.u.

A31-00005 1.6 cfs 80 ac within 1636.7 ac. p.p.o.u.
Enlargement Right
1.7 cfs 116.7 ac within 1636.7 ac. p.p.o.u.

24.0 cfs 1636.7 ac GIS shows 1636.7

CA 10-30-00

A31 00167

NW¼ of SEC. 6, T.6N., R.32E.

E½ E½ SW¼ SW¼ of SEC. 31, T.7N., R.32E.

South Boise Road

County Road

M. M. OWSLEY

MRS. BERTHA OWSLEY

OLD CANAL

NEW DISCHARGE CANAL

NEW INTAKE

MUD LAKE

T.7N.

T.6N.

R.31E.

R.32E.

PROFILE OF CANAL

1.42 Miles

PROFILE OF INTAKE

2.70 Miles

CONTRACTED WORK

Section	Sta. to Sta.	Cu. Yds.	Cu. Yds.
Intake	0+00 to 14+51	Exc.	67,229
Canal	67+17.5 to 142+00	Emb.	7,854
	Total		75,083

Sta.	Bottom Width
0+00	24 Feet
1	24
2	20
3	16
4	12
5	12
6	12
14+51	15

CANAL CROSS SECTION STA. 0 TO 35

INTAKE CROSS SECTION STA. 1 TO 14+2

Form 13-A

A31-00189

31-0189

Affidavit for Change of Point of Diversion of Decreed Water Right

STATE OF IDAHO,
County of Jefferson } ss.

Mr. M.M.Owsley, being first duly sworn, deposes and says: That his postoffice address is Lamer Idaho; That he is the owner of and using a certain water right, bearing date of priority of September 17, 1912, for 22.4 cubic feet per second of the waters of Mud Lake, County of Jefferson, State of Idaho, decreed to Bertha I.Owsley, by decree of Judge C.C.Cavanah, of the United States ~~State of Idaho, in and for the County of~~ Judicial District of the ~~State of Idaho~~ Court Dist.of Idaho in the case of Ernest Sauve vs. W.H.Abbott et.al said decree bearing date of ~~February~~ 25 1931, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 66, in the County of Jefferson, and State of Idaho, to-wit: N½ Sec 1 T 6N R33 E & NW¼ Sec.6 T 6 R 34 East & entire section 36 T 7 N R 33 East and the W½ Sec.31 T 7 R 34 East.

That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner: Agent for Bertha I.Owsley

That said waters are now diverted from said stream in the NW ¼ NW ¼ of Sec. 33, Twp. 7 N., Range 34 E., and conducted to the above described lands through the Bertha I. Owsley ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in SE ¼ of SE ¼, Sec. 33, Twp. 7 N, Range 34 E., and thereafter conduct same to the above described land through the New Bertha I. Owsley ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: Draft on the waters of MUD Lake in recent years has so reduced the elevation of the lake surface that water is no longer available at the present point of diversion in the later part of the irrigation season.

That no one will be injured by such change and that such change will be made at affiant's own risk.

M.M.Owsley, Affiant.

Subscribed and sworn to before me this 3rd day of May, 1932

John N. Hays
Notary Public.
Residing at Dubois Idaho,

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit. There are on other users of water intrested in exhisting ditch.

SCANNED

DEC 0 2 2004

Form 13-A

Trans. #133

Affidavit for Change of Point of Diversion of Decreed Water Right

RECEIVED
MAY 16 1932
DEPARTMENT OF RECLAMATION

STATE OF ~~IDAHO~~ Montana, }
County of Madison } ss.

Bertha I. Owsley, being first duly sworn, deposes and says: That ~~his~~ her postoffice address is Twin Bridges, Montana; That he is the owner of and using a certain water right, bearing date of priority of Sept. 17th, 19 12, for 22.4 cubic feet per second of the waters of Mud Lake, County of Jefferson, State of Idaho, decreed to Bertha I. Owsley, by decree of Judge C. C. Cavanah, of the United States ~~Judicial~~ District of the State of Idaho, in and for the County of ....., in the case of Sauve' vs. Abbott said decree bearing date of Nov. 1st 1928, ~~Nunc pro tunc~~ for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. ~~58~~ A, in the County of Jefferson, and State of Idaho, to-wit: North half Sec. 1 Tp. 6 N. R. 33 E. B. M., 320 acres; Northwest Quarter of Section 6, Tp. 6 N. R. 34 E. B. M., 160 acres. Entire Sec. 36 Tp. 7 N. R. 34 E. B. M., and the West half of Sec. 31 Tp. 7 N. R. 34 E. B. M., 320 acres.

That ~~he~~ she is the person (~~or representative of the corporation~~) to whom such right was issued, (~~or has become the owner thereof in the following manner~~).

That said waters are now diverted from said stream Lake in the NW ¼ NW ¼ of Sec. 33, Twp. 7 N., Range 34 E. B. M., and conducted to the above described lands through the Owsley ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in SE ¼ of SE ¼, Sec. 33, Twp. 7 N., Range 34 E. B. M. and thereafter conduct same to the above described land through the Owsley ditch, as per map above referred to:

That ~~his~~ Her reasons for desiring to make such change are as follows: Makes a shorter and better intake from the lake in periods of low water and the elevation of the new pump site is more favorable; reduce seepage and evaporation.

That no one will be injured by such change and that such change will be made at affiant's own risk.

Bertha I. Owsley.
Affiant.

Subscribed and sworn to before me this 4th day of May, 19 32.

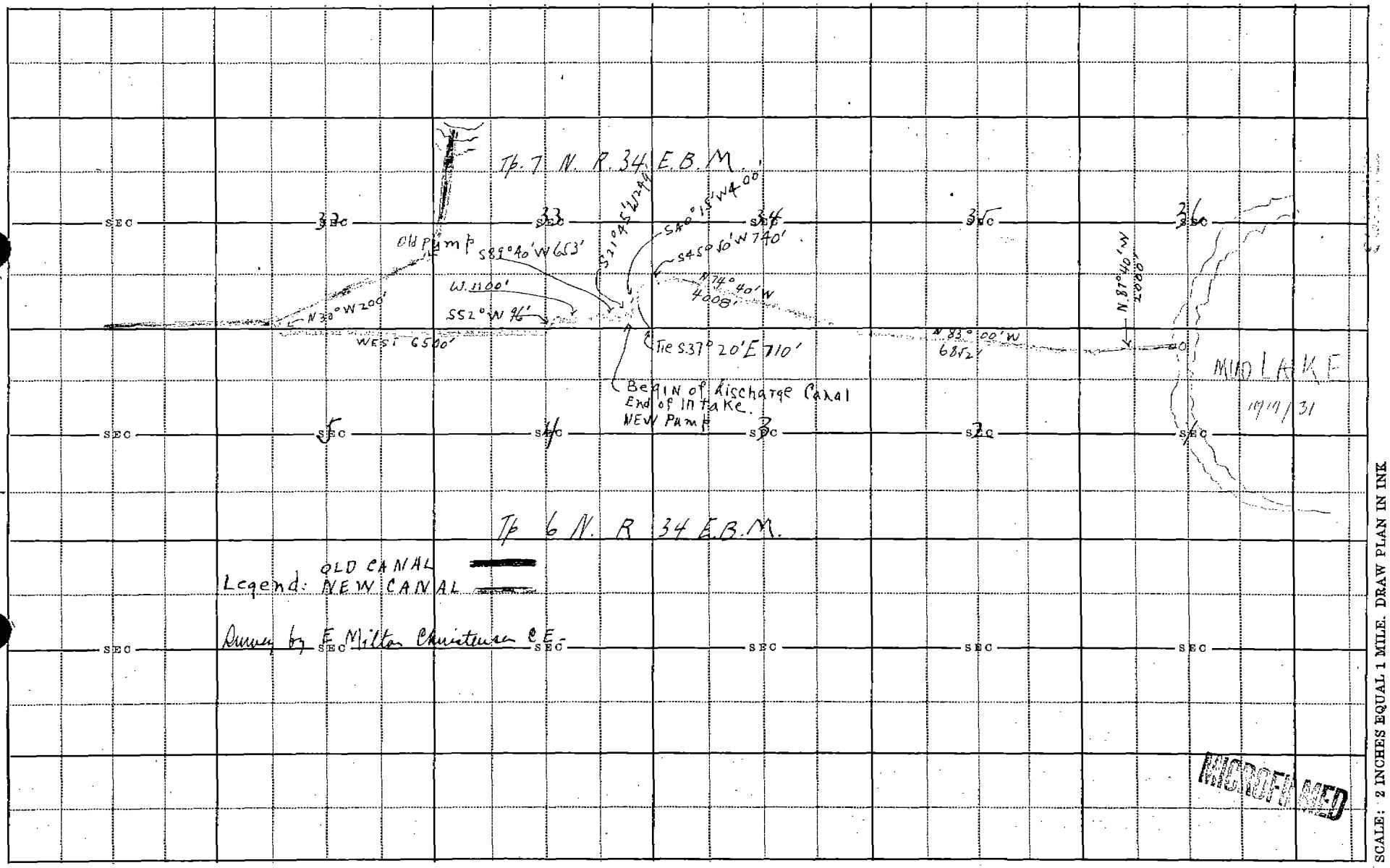
Lynn Comfort
NOTARY PUBLIC for the State of Montana,
Residing at Twin Bridges, Montana.
My commission Expires June 15th, 1934

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

RECORDED

Form No. 0

NAME OF APPLICANT Burt (Curley) — Twin Buttes Irr. Dist.



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

MICROFILMED

May 12, 1932

Re: CHANGE OF POINT OF DIVERSION No. 133
Bertha A. Owsley Water Right
Mud Lake

Mr. DAVID I. GARDNER
Dubois
I d a h o

Dear Sir:

Regarding the application for change of point of diversion of the BERTHA A. OWSLEY water right from Mud Lake: Section 3663 provides that a change in the point of diversion may be made if no one is injured thereby

At the time of our field inspection on May 1, it was mutually agreed between us that no one would be injured by allowing this application. You are, therefore, authorized to permit Mr. Owsley to divert his water at the new station.

Very truly yours,

Assistant Commissioner
of Reclamation

RECEIVED
MAY 16 1932

Level Canal Co.

CLAIM IDENTIFICATION NO. _____

PLACE OF USE OVERLAP REVIEW

CLAIM NO.	TWN	RNG	SEC	NE				NW				SW				SE				TOTAL ACRES
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claimed	6N	33E	1	40	40	40	40	40	40	40	40	40	40	40	40					
			11			5	25													
			12					40	40	25	40									
		34E	6					40	40	40	40									
	7N	33E	36	40	40	40	40	40			40	40	40	40	40	40	40	40	40	
		34E	31					40	40	40	40	40	40	40	40					
																				169.5
Found	6N	33E	1	Lot 1 38	Lot 2 39	40	36	Lot 3 39	Lot 4 38	39	40	40	39	38	39					465
			11	17	2															17
			12					39	38	24	40									141
		34E	6					Lot 1 39	Lot 2 34	Lot 3 39	40									152
	7N	33E	36	39	39	40	40	39			40	40	39	38	39	40	40	39	37.5	549.5
		34E	31					39	Lot 1 38	Lot 2 39	40	40	Lot 3 39	Lot 4 35.5	39					309.5
																				1636

R 33 E | R 34 E

Level Canal Co.

T 7 N

T 6 N

39	39	39	38	39
40	40	40	39	40
39	40	40	40	39	40
38	39	39	37.5	39	39
38	39	39	38	39	39
39	40	40	36	39	40
39					

AREA

BOUNDARY

P.O.D.

CRYSTAL

LAKE

CANAL

Storage Bin

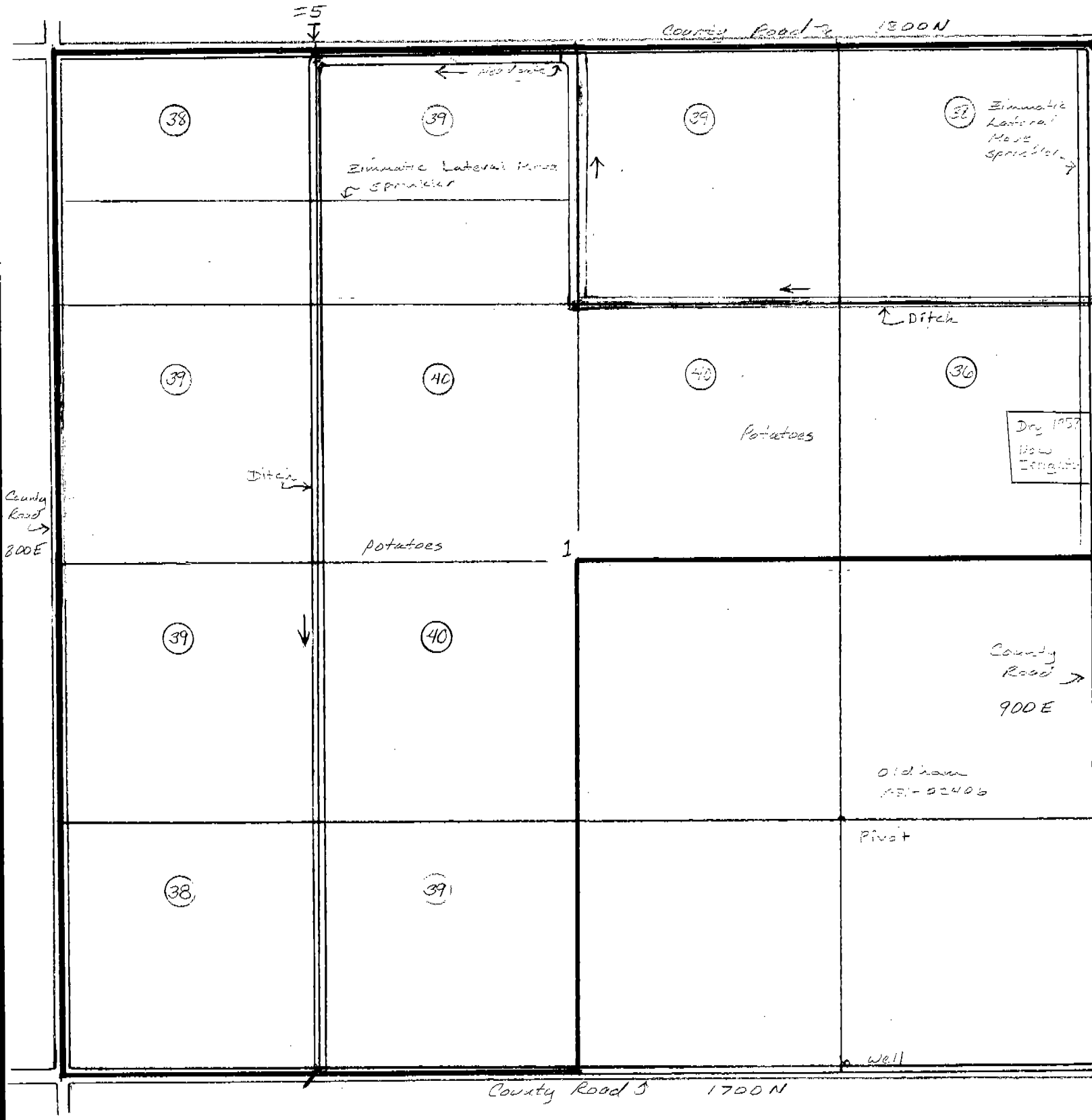
AdjForm2

A31-00005

Claim Number A31-00189

Level Canal Co.

1 of 6



Scale 8.0" = 1.0 Mile

Township 6N Range 33E Section 1

DATE 7-1-94

OPQ MAP # W38 & NAPP # W-38 SE

W-88

AGENT Fritschle & Norquest

SCANNED

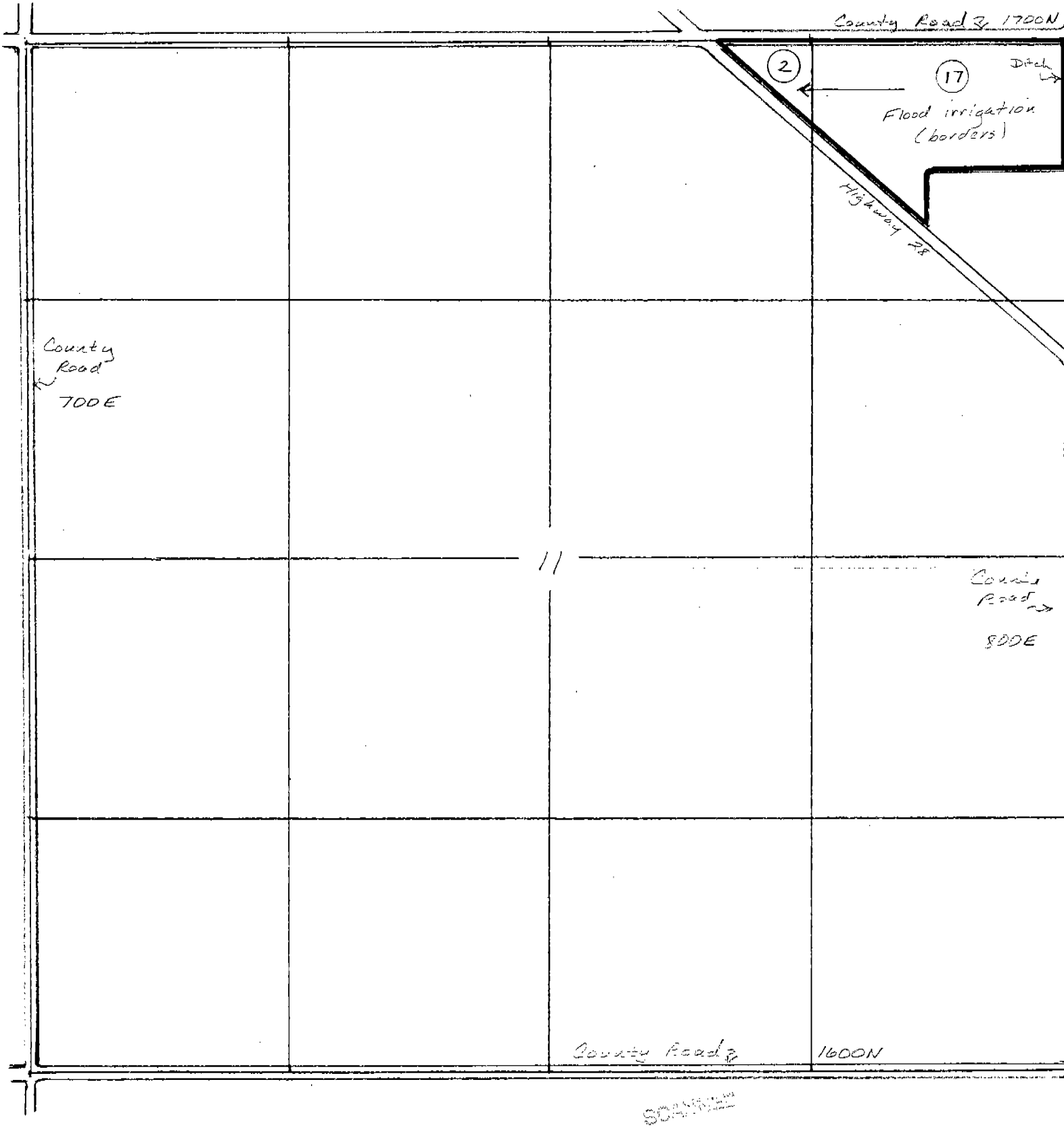
DEC 31 2002

AdjForm2

A31-00005 Level Canal Co.

Claim Number A31-00189

2 of 6



SCANNED

DEC 0 2 2002

Scale 8.0" = 1.0 Mile

Township 6N Range 33E Section 11

DATE 7-14-99

OPQ MAP # W88 NAPP # W88 NE

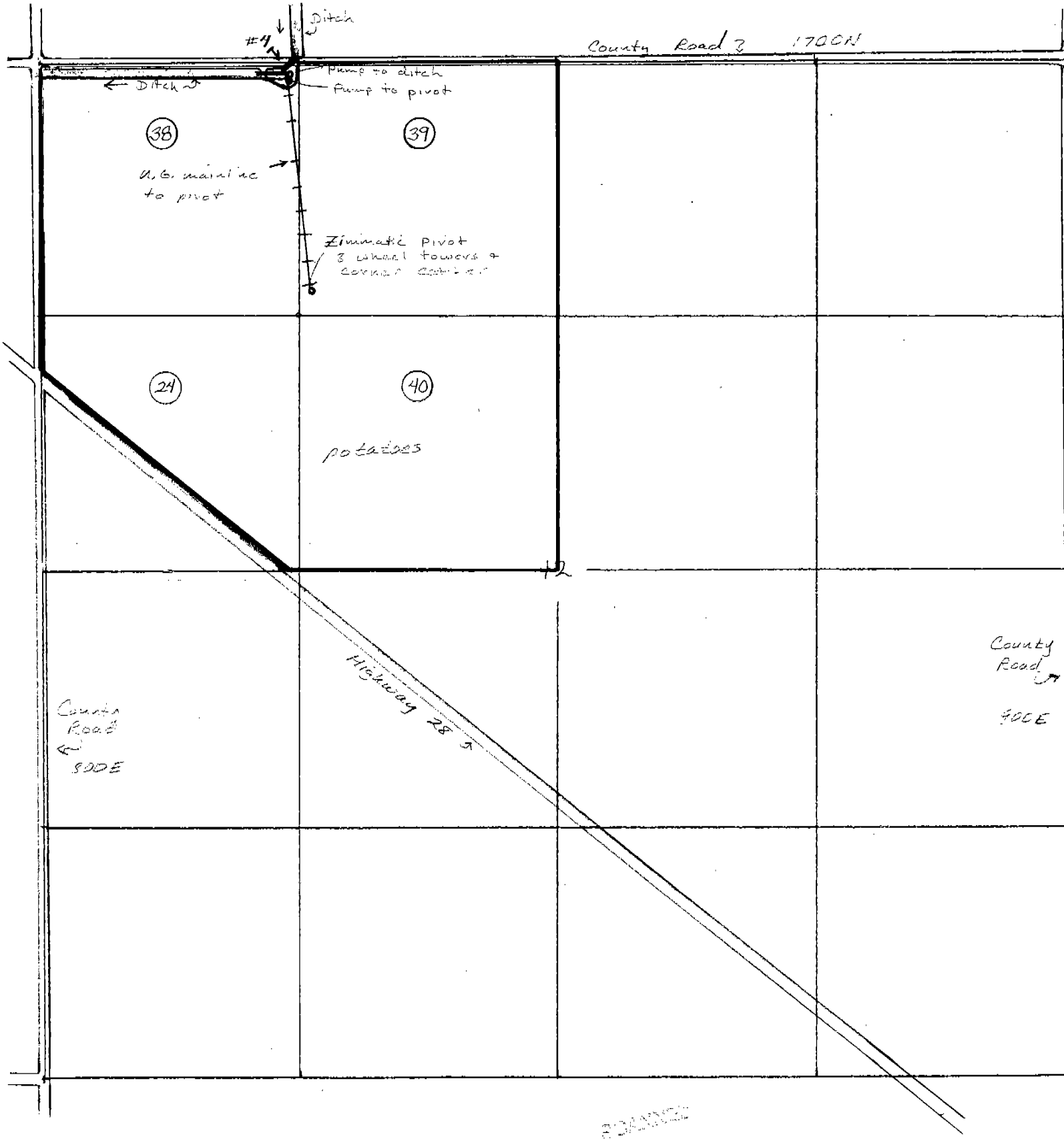
AGENT Fritschle & Norquest

AdjForm2

Claim Number A31-00005 A31-00189

Level Canal Co.

3 of 6



Scale 8.0" = 1.0 Mile

Township 6N Range 33E Section 12 DATE 7-14-94

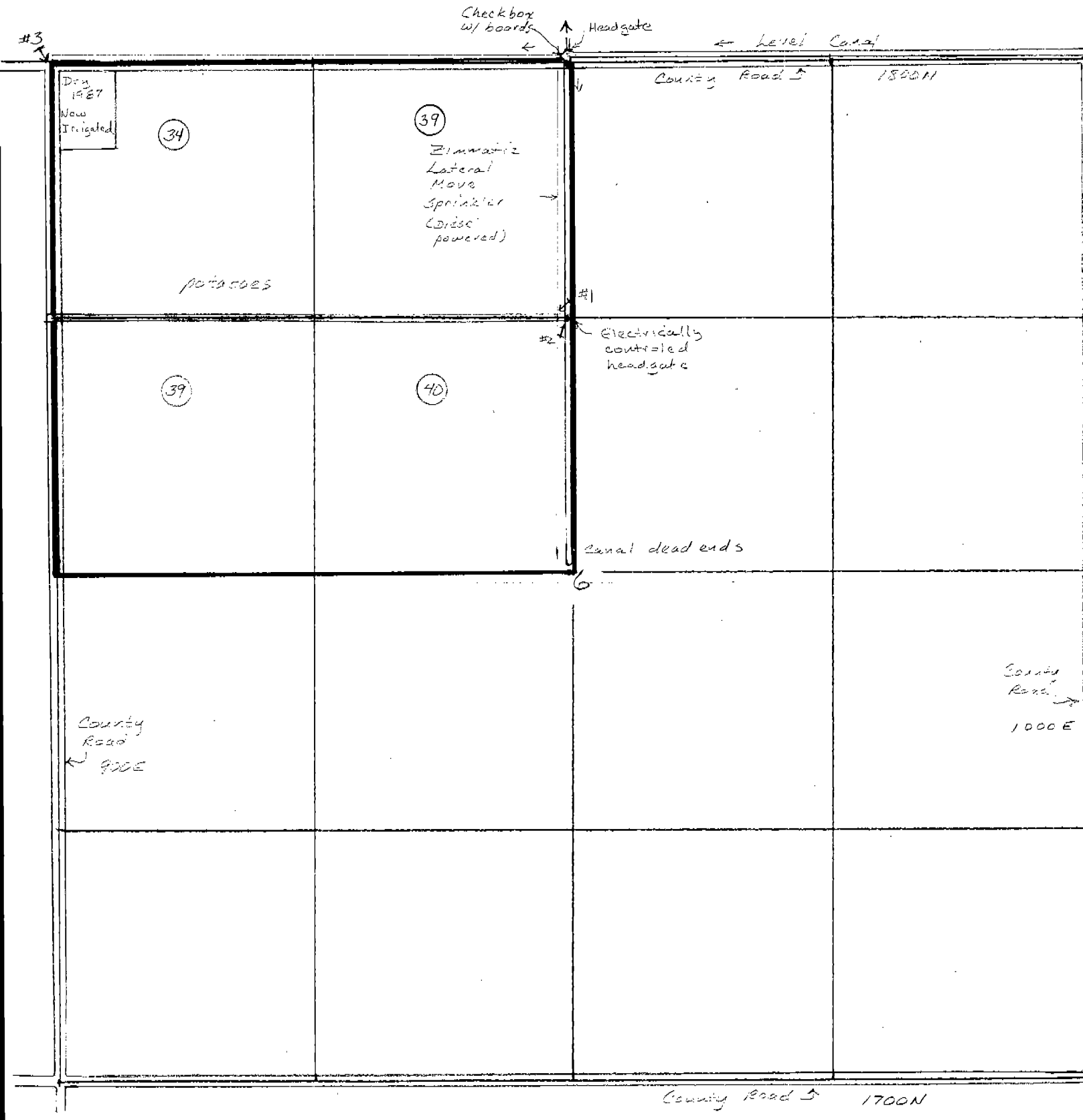
OPQ MAP # W55 NAPP # W55 NE AGENT Fritzler & Norquest

AdjForm2

A31-00005

Claim Number FOI-02189

Level Canal Co.
4 of 6



Scale 8.0" = 1.0 Mile

Township 6N Range 34E Section 6

DATE 7-14-94

OPQ MAP # W38 NAPP # W33SW

AGENT Fritschle & Norquest

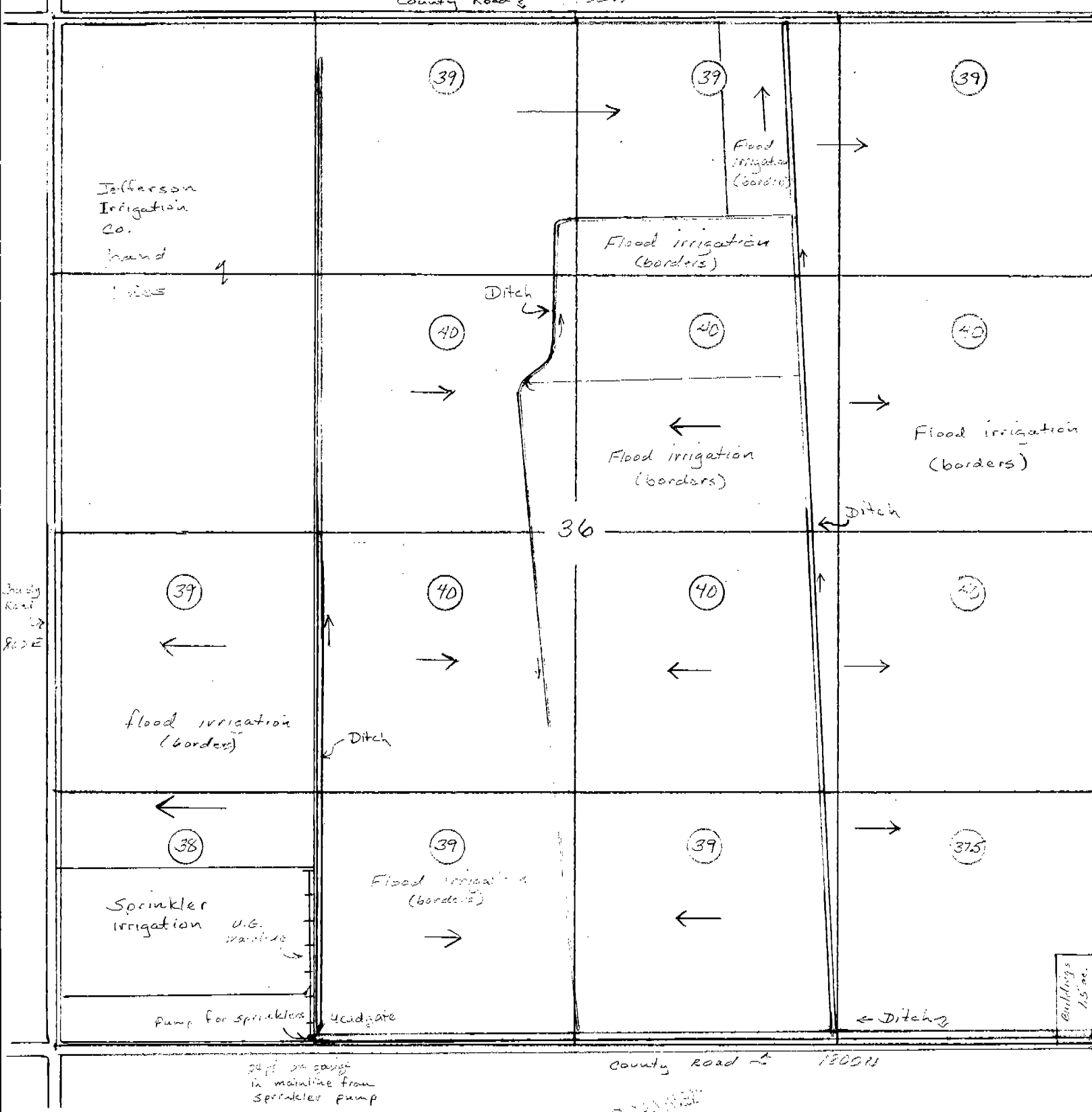
AdjForm2

A31-00005

Claim Number A31-00189

Level Canal Co.

5 of 6



Scale 8.0" = 1.0 Mile

Township 7N Range 33E Section 36 DATE 7-14-94

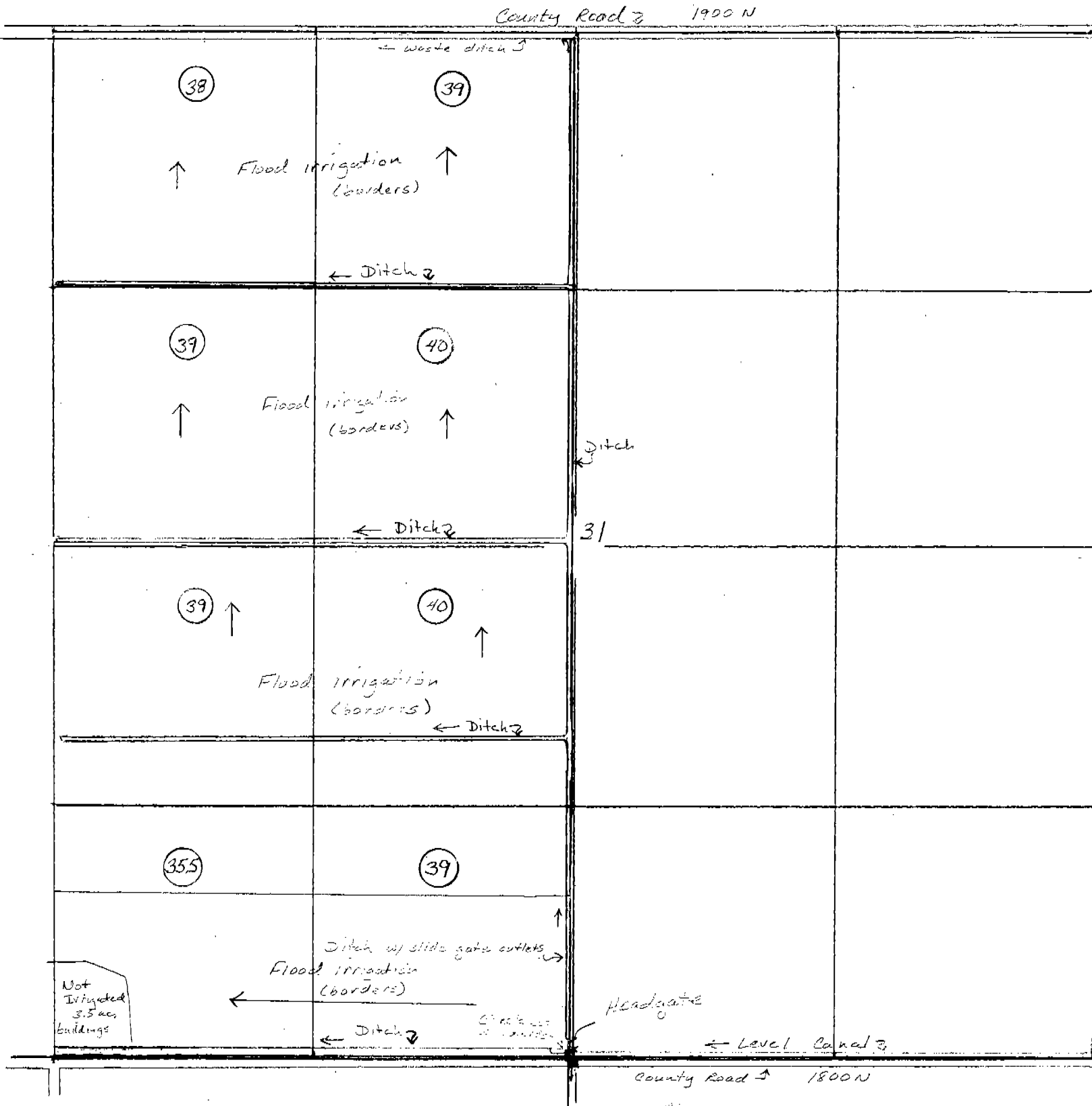
OPQ MAP # W38 NAPP # W 33 3E AGENT Fitzsimons & Norquest

AdjForm2

A31-00005

Claim Number A31-00189

Level Canal Co.
6 of 6



Scale 8.0" = 1.0 Mile

Township 7N Range 34E Section 31 DATE 7-14-94

OPQ MAP # W38 NAPP # W38SE AGENT Fritzler x Norquest

e No. 33 East of the Boise Meridian Idaho.

6N 33E

d D c C b B a A

S. 89° 53' E.

3	2	1	4	3	2	1	4	3	2	1	4	3	2	1
39.20	39.30	39.39	39.44	39.45	39.45	39.46	39.48	39.51	39.55	39.58	39.65	39.75	39.85	39.95

80 80 80 80 80 80 80 80 80 80 80 80 80 80 80

S. 0° 1' E. 79.72 S. 0° 2' E. 79.73 S. 0° 3' E. 79.80 80.00

Sec. 4. 637.00 | Sec. 3. 637.80 | Sec. 2. 638.12 | Sec. 1. 639.20

N. 89° 56' W. 79.91 | N. 89° 51' W. 80.06 | N. 89° 50' W. 80.09 | N. 89° 52' W. 80.07

Y

Sec. 9. 640 | Sec. 10. 640 | Sec. 11. 640 | Sec. 12. 640

N. 0° 2' W. N. 0° 2' W. N. 0° 1' W.

N. 89° 50' W. 79.97 | N. 89° 49' W. 80.06 | N. 89° 48' W. 80.07 | N. 89° 50' W. 80.10

X

Sec. 16. 640 | Sec. 15. 640 | Sec. 14. 640 | Sec. 13. 640

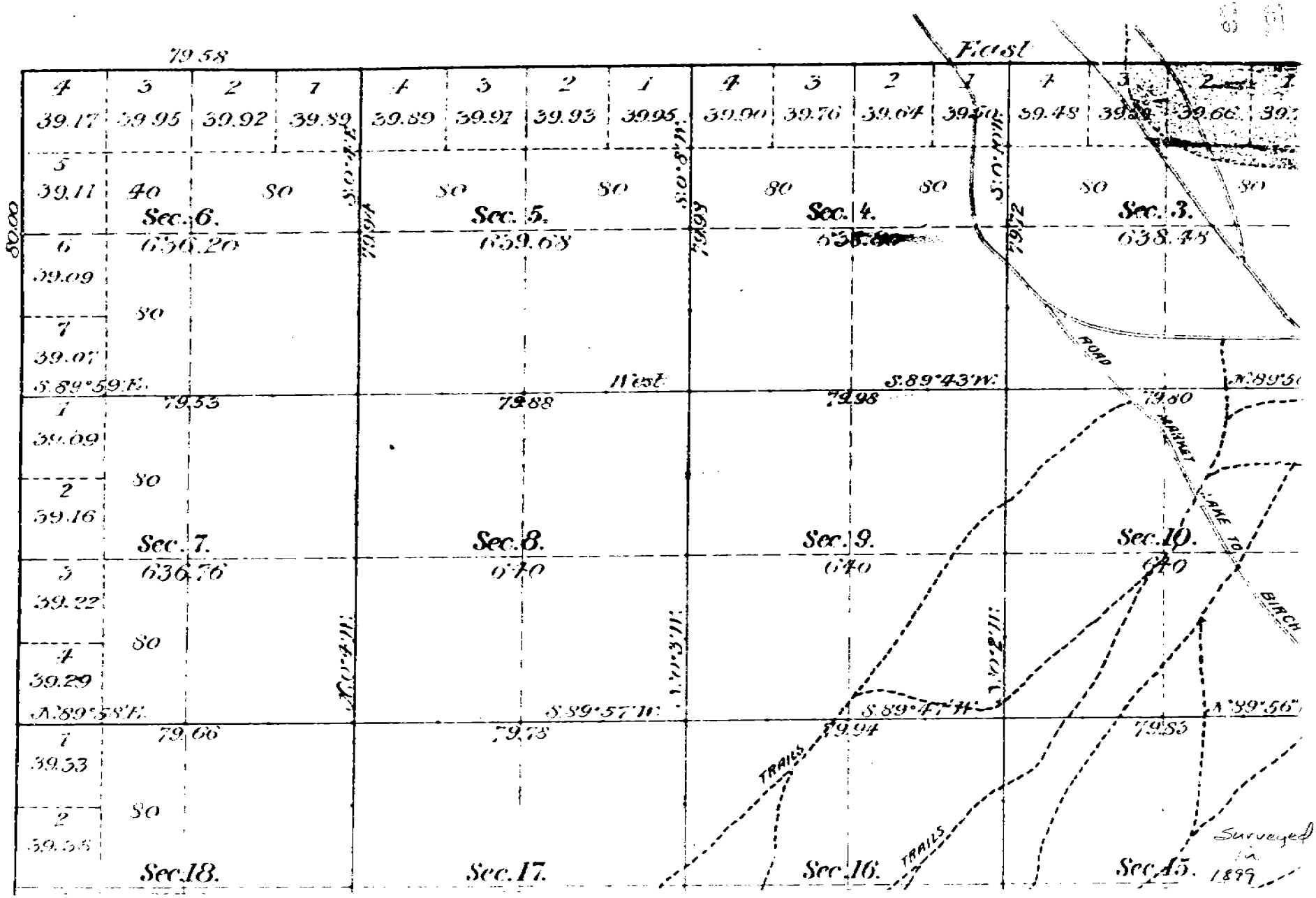
W

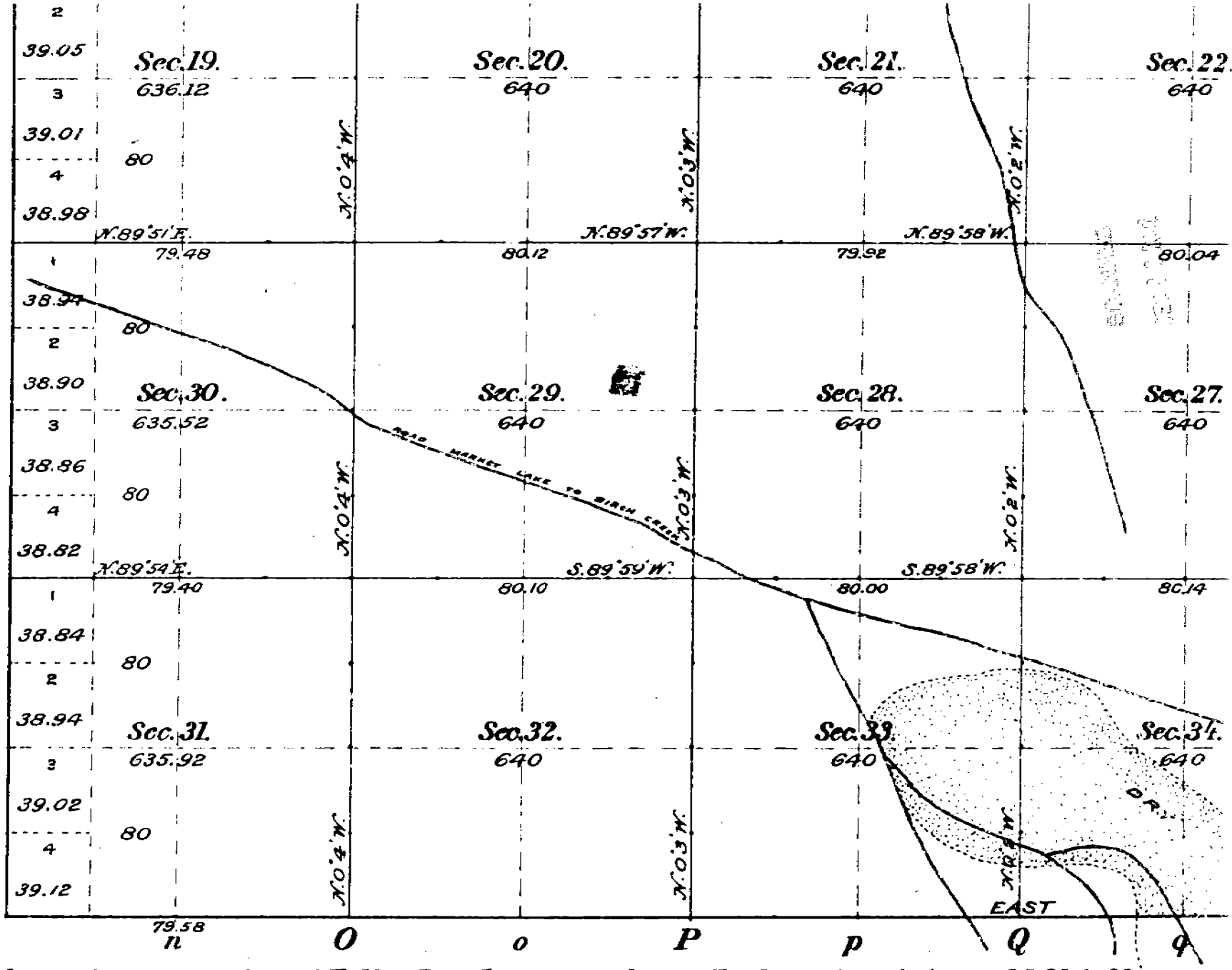
Meand

Posts

Surveyed in 1899

Township No 6 North, Range No 34 East of the L

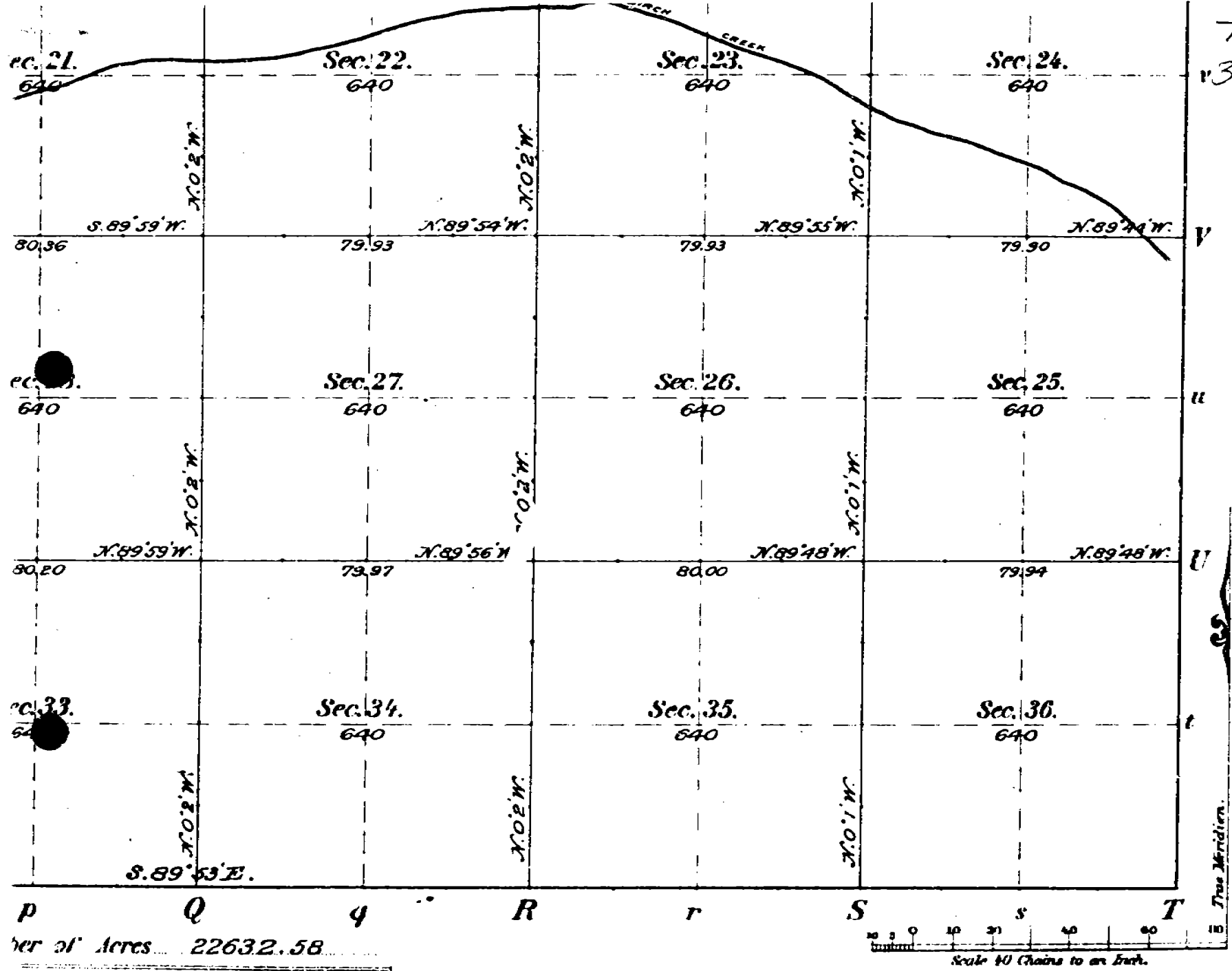




Area of Watersurface: 498.90 Acr. – of Public Land: 22515.79 Acr. – **Total number of Acres** 23014.69

Surveys Designated	By Whom Surveyed	№ Date of Contract	Amount of Surveys M.	Ch.s	Lk.s	When Surveyed	Mean Declination
S. W. and N. Township lines	Wm Alley & Jay Turley	199 April 3, 1899	17	15	53	May 23 - June 1, 1899	
Subdivisions	" "	" "	59	24	10	June 5-8, 1899	18°20' E.

Surveyed in 1899

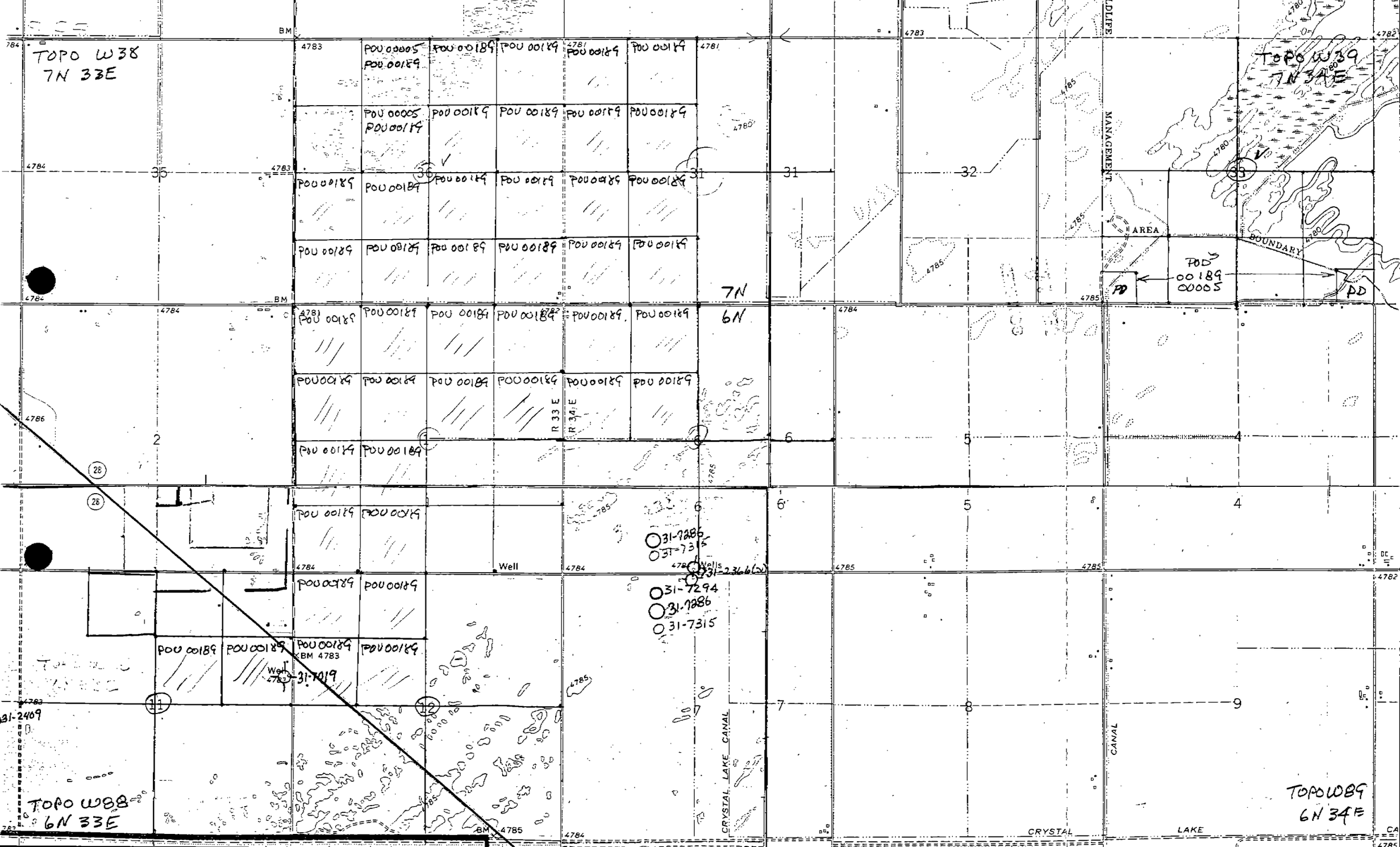


Surveyed in 1899

Number of Acres 22632.58

When Surveyed	Mean Declination
1-7, 1899	
30-15, 1899	18°30'E.

The above Map of Township No. 7 North of Range No. 3 Boise Meridian Idaho is strictly correct according to the surveys thereof on file in this Office which have been exam


TOPO W38
7N 33E
TOPO W39
7N 34E
TOPO W88
6N 33E
TOPO W89
6N 34E
POU 00189
POU 00005
POU 00189
7N
6N
R 33 E
R 34 E
31-7286
31-7315
31-2366(2)
31-7294
31-7286
31-7315
31-7019
31-2409
Well
BM 4783
CRYSTAL LAKE CANAL
CRYSTAL LAKE
MANAGEMENT AREA
BOUNDARY
POD
00189
00005
PD
PD

AREA

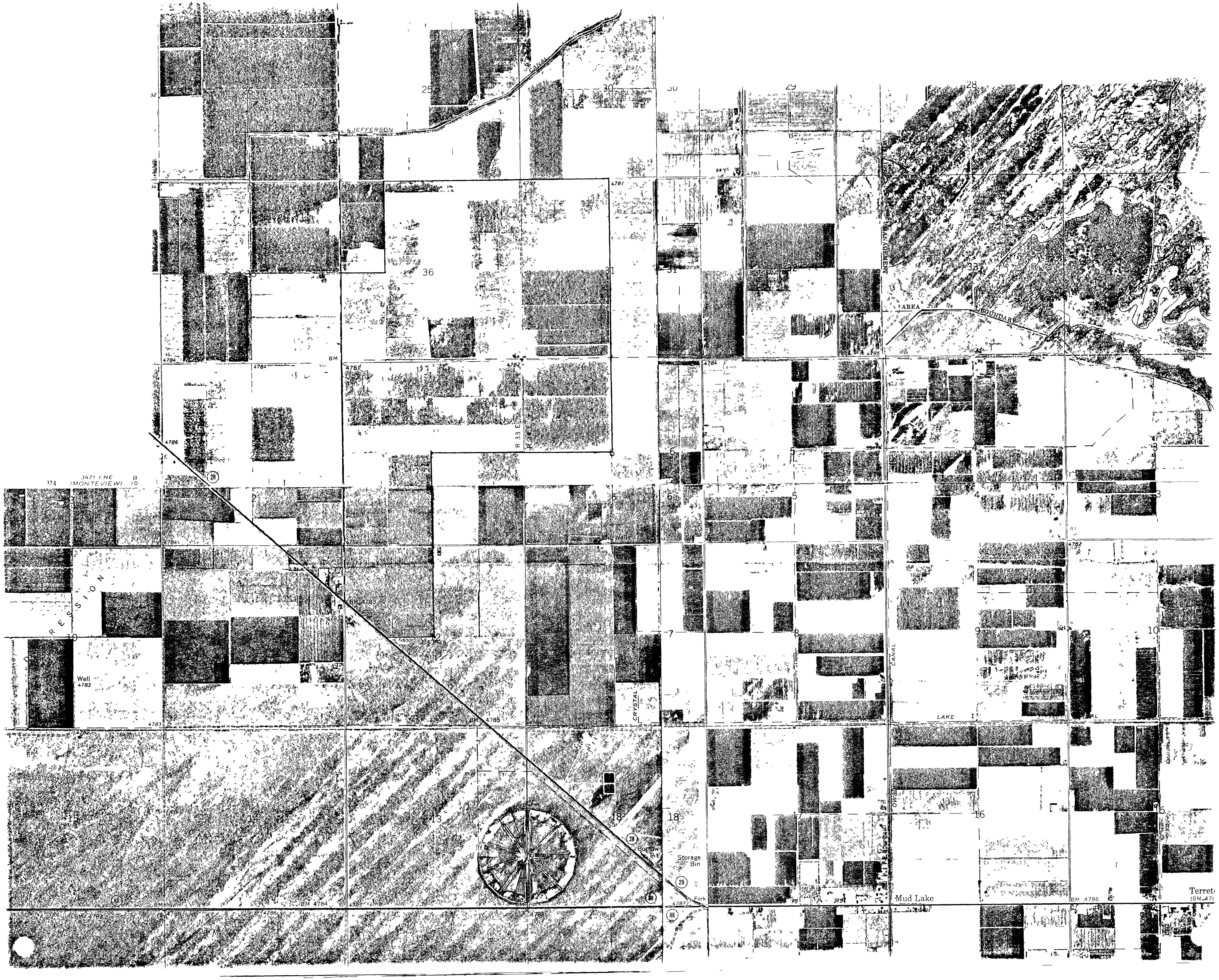
BOUNDARY

MANAGEMENT

Storage Bin

CRYSTAL

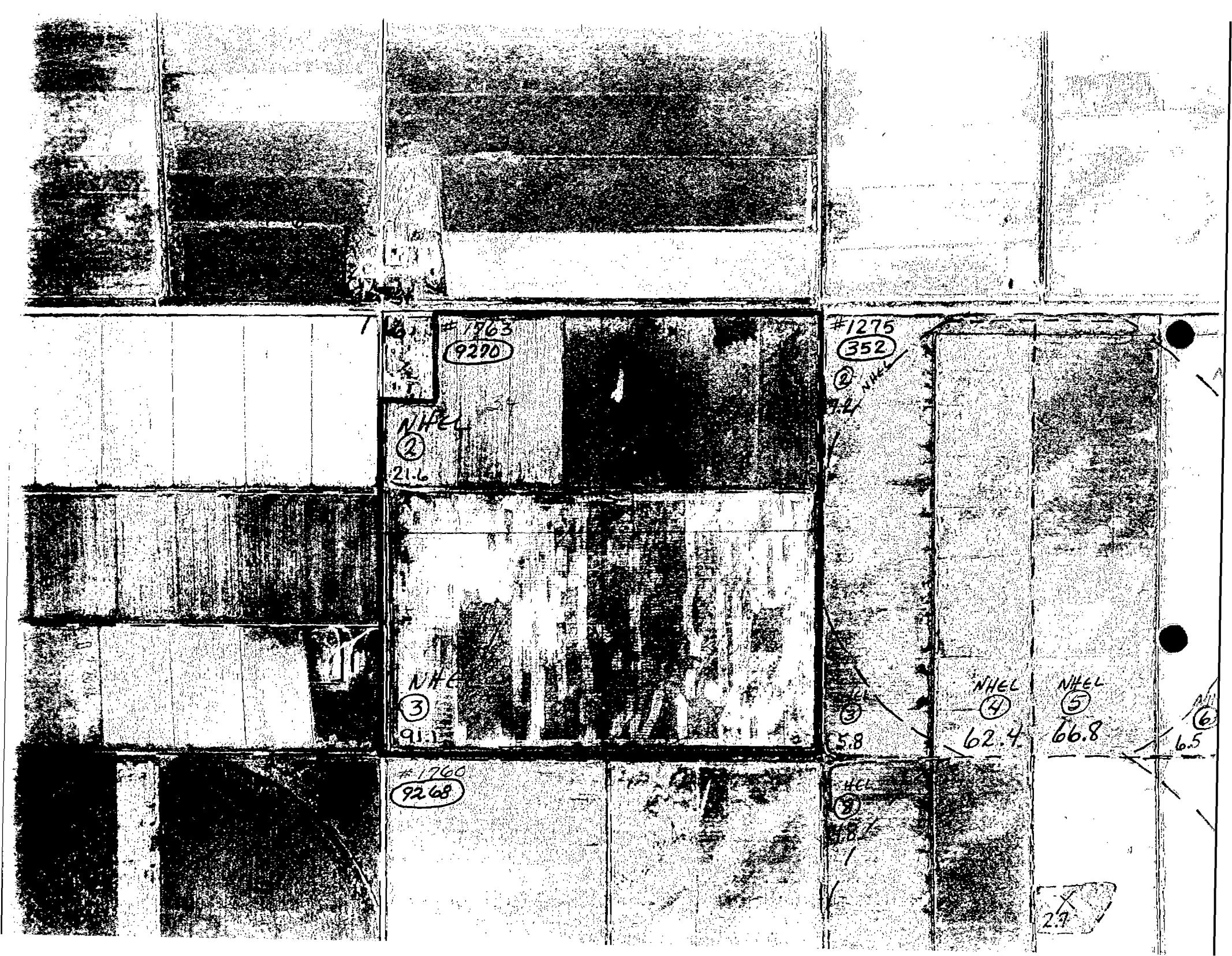
LAKE

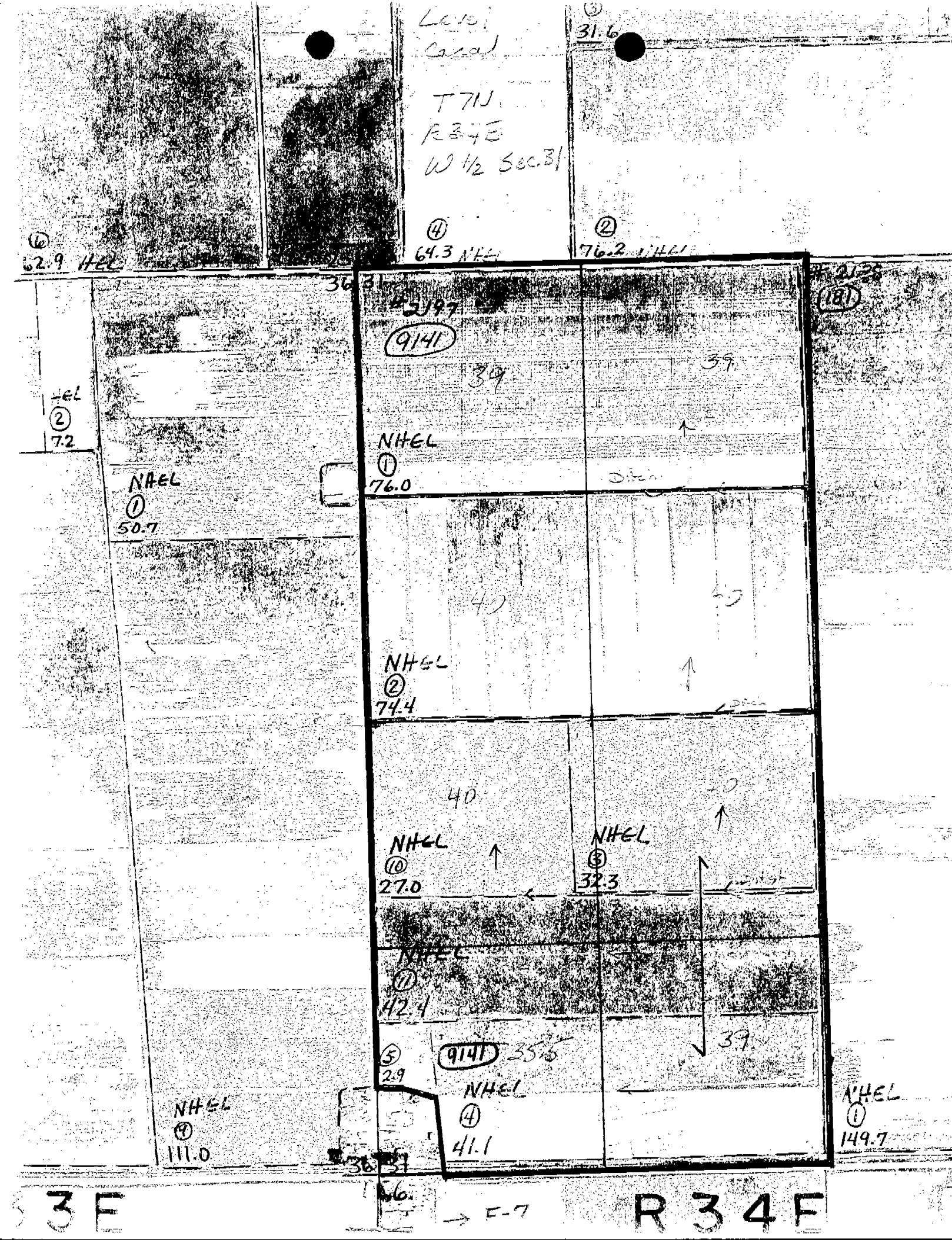


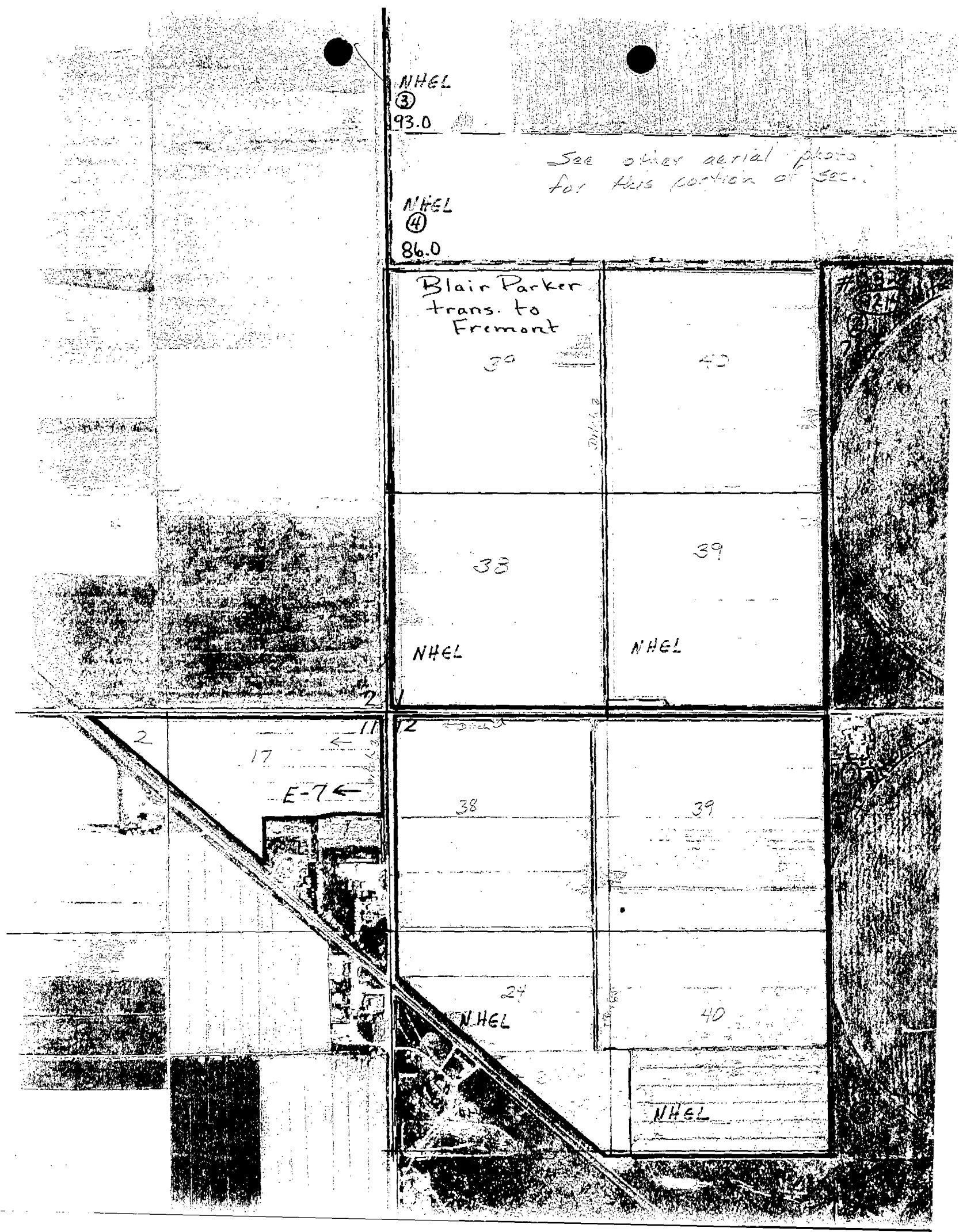
JEFFERSON
CANAL
MANAGEMENT
AREA
BOUNDARY
STATE
3471 I NE
374 (MONTEVIEW) B 10
DEPRESSION
Well
4783
R 33 E
R 34 E
Wells
BM 4785
CRYSTAL
LAKE
CANAL
OWSLEY
Borrow Pit
Storage Bin
Fork
Mud Lake
BM 4786
Terret
(BM 478
BM 4784
BM 4783
4781
4782
4784
4785
4786
4787
28
88


NHEL
①
59.8
NHEL
③
93.0
NHEL
④
86.0
Blair Parker
trans. to
Fremont
see other
aerial photo
Section 1
NHEL
NHEL
NH
②
21.6
N
③
91.
#
92
HEL
④


73.1
#1254
147
1875
9316
NHEL
3
15.7
NHEL
2
21.1
HEL
1
38.9
7
21.6
36
#1244
161
#2197
9269
HEL
2
7.2
HEL
3
50.1
NHEL
1
50.7
HEL
1
63.8
HEL
4
27.2
HEL
5
49.5
flood
NHEL
6
25.2
HEL
7
80.9
HEL
8
128.5
NHEL
111.0 Inv.
R 33 E


#1763
9270
NHEL
1
21.6
#1275
352
2
NHEL
3.4
NHEL
3
5.8
NHEL
4
62.4
NHEL
5
66.8
6
6.5
#1760
9268
HEL
8
5.0
2.7


Levee
canal
T7N
R34E
W 1/2 Sec. 31
③
31.6
④
64.3 NHEL
②
76.2 NHEL
⑥
62.9 HEL
#2197
(9141)
39
39
NHEL
①
76.0
NHEL
①
50.7
40
40
NHEL
②
74.4
40
40
NHEL
⑩
27.0
NHEL
③
32.3
NHEL
⑪
42.4
39
⑤
2.9
(9141)
35.5
NHEL
④
41.1
NHEL
⑨
111.0
NHEL
①
149.7
#2126
(181)
HEL
②
7.2
36
36
36
3F
R 34 E


NHEL
③
93.0
See other aerial photos for this portion of sec.
NHEL
④
86.0
Blair Parker trans. to Fremont
39
40
38
39
NHEL
NHEL
2
11
17
E-7
12
38
39
24
NHEL
40
NHEL

TOPO W38
7N 33E

TOPO W39
7N 34E

TOPO W88
6N 33E

TOPO W89
6N 34E

JEFFERSON CANAL

WILDLIFE MANAGEMENT AREA BOUNDARY

STATE

Level Canal Co.

CRYSTAL LAKE CANAL

CRYSTAL LAKE CANAL

Well

31-7019

31-7286
31-7315
Wells
31-2366(2)
31-7294
31-7286
31-7315

POU 00189
POU 00005

R 33 E
R 34 E

7N
6N

SCANNED
DEC 02 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 31-189 V2

WATER RIGHT NUMBER: 31-189 V2

Owner Type	Name and Address
Original Owner	BERTHA I OWSLEY , ZZ
Current Owner	LEVEL CANAL CO INC C/O WILFRIED SCHMITT HC 63 BOX 2585 MONTEVIEW, ID 83435 (208)663-4679

Priority Date: 09/17/1912

Basis: Decreed

Status: Active

Source	Tributary
MUD LAKE	SINKS

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION STORAGE	01/01	12/31		5,510.40 AF
IRRIGATION FROM STORAGE	04/01	10/31		5,510.40 AF
		Total Diversion:		5,510.40 AF

Location of Point(s) of Diversion

MUD LAKE NW1/4SW1/4SW1/4 Sec. 34, Twp 07N, Rge 34E, B.M.

JEFFERSON County

Place of Use

IRRIGATION FROM STORAGE Within JEFFERSON County

T06N R33E S01 Lot	1 NENE 40.0	T06N R33E S01 Lot	2 NWNE 40.0
T06N R33E S01	SWNE 40.0	T06N R33E S01	SENE 40.0
T06N R33E S01 Lot	3 NENW 40.0	T06N R33E S01 Lot	4 NWNW 39.0
T06N R33E S01	SWNW 39.0	T06N R33E S11	NENE 23.0
T06N R33E S11	NWNE 2.0	T06N R33E S11	SENE 0.1
T06N R33E S01	SENW 40.0	T06N R33E S01	NESW 40.0
T06N R33E S01	NWSW 39.0	T06N R33E S01	SWSW 38.0
T06N R33E S01	SESW 39.0	T06N R33E S12	NENW 39.0
T06N R33E S12	NWNW 39.0	T06N R33E S12	SWNW 25.0
T06N R33E S12	SENW 40.0	T06N R34E S06 Lot	3 NENW 40.0
T06N R34E S06 Lot	4 NWNW 39.0	T06N R34E S06 Lot	5 SWNW 39.0
T06N R34E S06	SENW 40.0	T07N R33E S36	NENE 40.0
T07N R33E S36	NWNE 40.0	T07N R33E S36	SWNE 40.0
T07N R33E S36	SENE 40.0	T07N R33E S36	NENW 40.0
T07N R33E S36	SENW 40.0	T07N R33E S36	NESW 40.0
T07N R33E S36	NWSW 39.0	T07N R33E S36	SWSW 38.0
T07N R33E S36	SESW 38.0	T07N R33E S36	NESE 40.0
T07N R33E S36	NWSE 40.0	T07N R33E S36	SWSE 38.0
T07N R33E S36	SESE 36.0	T07N R34E S31	NENW 40.0
T07N R34E S31 Lot	1 NWNW 39.0	T07N R34E S31 Lot	2 SWNW 39.0
T07N R34E S31	SENW 40.0	T07N R34E S31	NESW 40.0
T07N R34E S31 Lot	3 NWSW 39.0	T07N R34E S31 Lot	4 SWSW 33.0
T07N R34E S31	SESW 37.0		

SCANNED
DEC 1 2 2005

Total Acres: 1656.1

SCANNED
DEC 21 2011

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 31-189 V2

IRRIGATION STORAGE same as IRRIGATION FROM STORAGE

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. E20 USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM INDEPENDENT WATER USERS OF MUD LAKE INC.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
5. C19 THE ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE AGREEMENT OF WATER RIGHT OWNERS REGARDING MUD LAKE WATER DELIVERY DATED APRIL 17, 2001, WHICH IS ON FILE IN THE RECORDS OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, IDAHO, INSTRUMENT NUMBER 307626.

Remarks:

1. Explanatory FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS CALCULATED BY MULTIPLYING A DIVERSION RATE OF 22.4 CFS BY A FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO SEPTEMBER 1ST).
2. Quantity USE OF THIS RIGHT WITH RIGHT NO. 31-11335 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 5510.4 AF.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1440 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 31-5 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1440 ACRES IN A SINGLE IRRIGATION SEASON.
5. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1656.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-5, 31-11335.

Comments:

1. aruberry 8/8/2001 version 2
Comment: Version 2 created by B Contor on A Ruberry account to adjust remarks to accomodate SF5 for settlement of objection on overlapping right 31-11335.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 31-189 V2

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number: 31
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Summary	8/8/2001 3:16:11 PM		8/8/2001 3:16:11 PM	aruberry	Active

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
Summary	8/8/2001 3:16:09 PM	aruberry	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.

AJ recommendation 31-189
B. Conton 11/1/00

1. Name : Level Canal
2. Priority : 9/17/1912
3. Source : Mud Lake
4. PD : 7N 34E 34 NW SW SW
5. Diversion works : Dredged channel from PD to relift pump station to canal.
6. Water use :

   Irrigation Storage 1/1 - 12/31 5510.4 acre feet
   Irrigation from Storage 4/1 - 10/31 5510.4 acre feet
7. Total Quantity 5510.4 acre feet

10. Pou same as 31-5 and 31-11335, 1653.1 acres.

Conditions : C18 Conjunctive right
C03 Δ POD
C05 Δ Pou
E20 Combined w/ Independent Water Users

Remarks :

QNT E05 This right & 31-11335 limited to 5510.4 afa.
POUI K06 This right limited to 1440 acres.
E14 This right w/ 31-5 and 31-11335 limited to 1653.1 acres.
EXP K01 31-11335 is an enlargement of this right

COMBINED DEC 1 2000

31-189 p2

EXP Volume calculated @ 22.4 cfs x 2 cfs/day
x 123 days

Bertha I. Owsley

31 189 ✓

1912 - September 17 22.4 c.f.s. Source: Mud Lake.

Point of Diversion: Approximately 1000 feet East of Section corner of Sections 28, 29, 32, and 33, Township 7 North, Range 34 East, B.M.

For use on the following described land, to-wit: The North Half of Section 1, Township 6 North, Range 33 East, B. M. - 320 acres;

The Northwest Quarter of Section 6, Township 6 North, Range 34 East, B.M. - 160 acres;

The entire Section 36, Township 7 North, Range 33 East, B. M., and the West Half of Section 31, Township 7 North, Range 34 East, B. M. - 320 acres.

22 4 x 2 x 23 11

1 oak

640

6N 33E 1	N½	320
6N 34E 6	NW	160
7N 33E 36	all	640
7N 34E 31	W½	320
		1440

No. 98

****

Claim A31-189

Doc Source Suave v Abbott Decree

Date 10/30/00 Sig. BOC

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Level Canal Co.
c/o Wilfrie
d Schmitt
HC 63 Box 2585
Monteview, Idaho 83435

Independent Water Users of Mud Lake
c/o Don Parker
2032 W 4200 S
Rexburg, Idaho 83440

Re: Place of Use

Dear Mr. Schmitt and Mr. Parker:

Enclosed are draft maps of the tentative place of use for water rights under the Level Canal and Independent Water Users.

Please review them carefully and contact me if there are problems or concerns.

Especially please look at the enclosed detail map of lands in T6N R33E Section 11. The yellow shape north of the Salmon Highway and West of the Monteview Highway is the place of use I believe should be recommended. The blue shape behind Holdaway's place is the place of use that is claimed. I need to know which of these is correct. If the yellow shape is correct, I'll need to prepare amended claims for your signatures. There will be no fee.

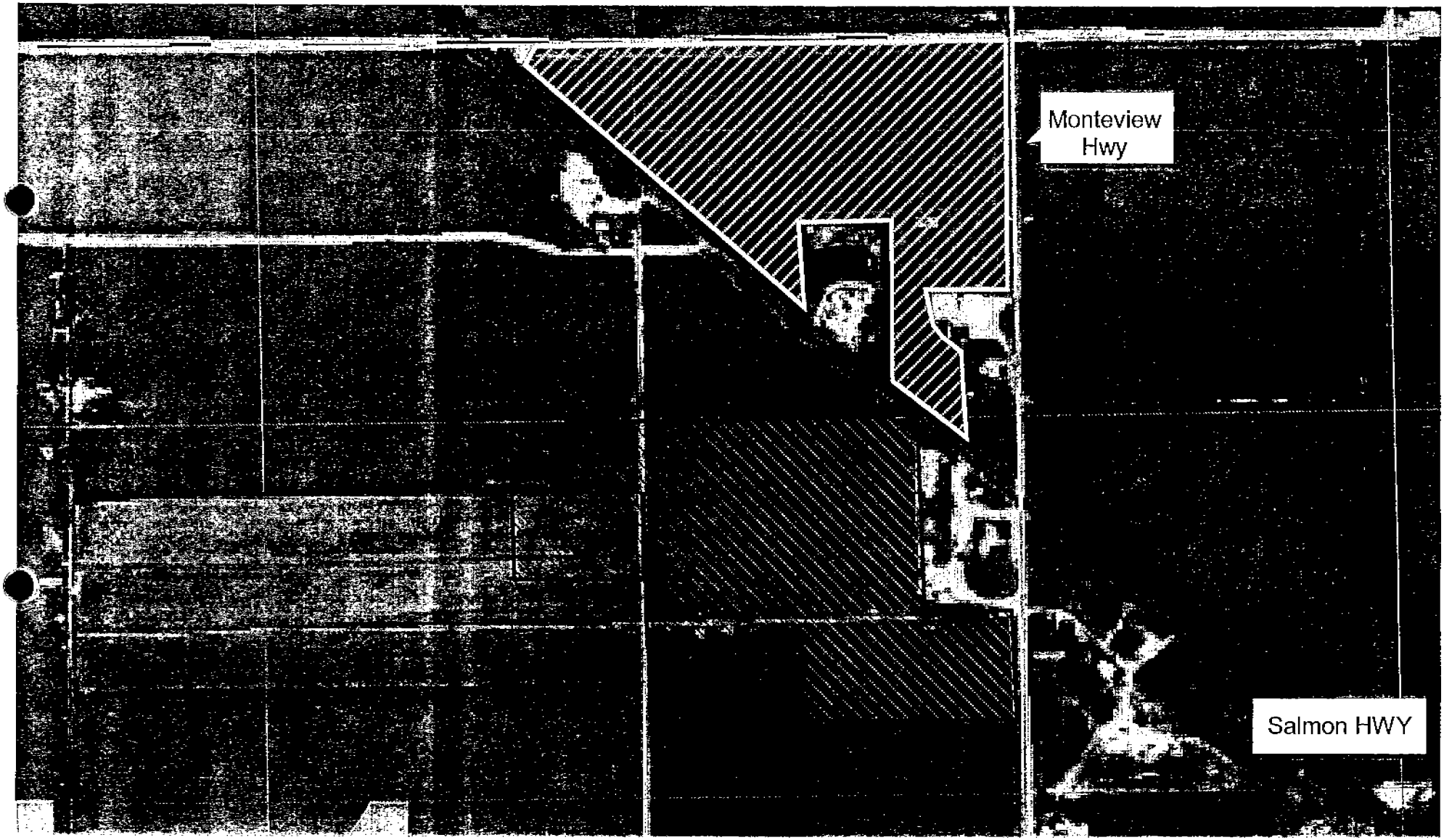
I'll be out of town on Wednesday, Thursday, and Friday. You may call me at home , 663-4853, this weekend, or you may call me at the office, 525-7161, next week.

Sincerely,

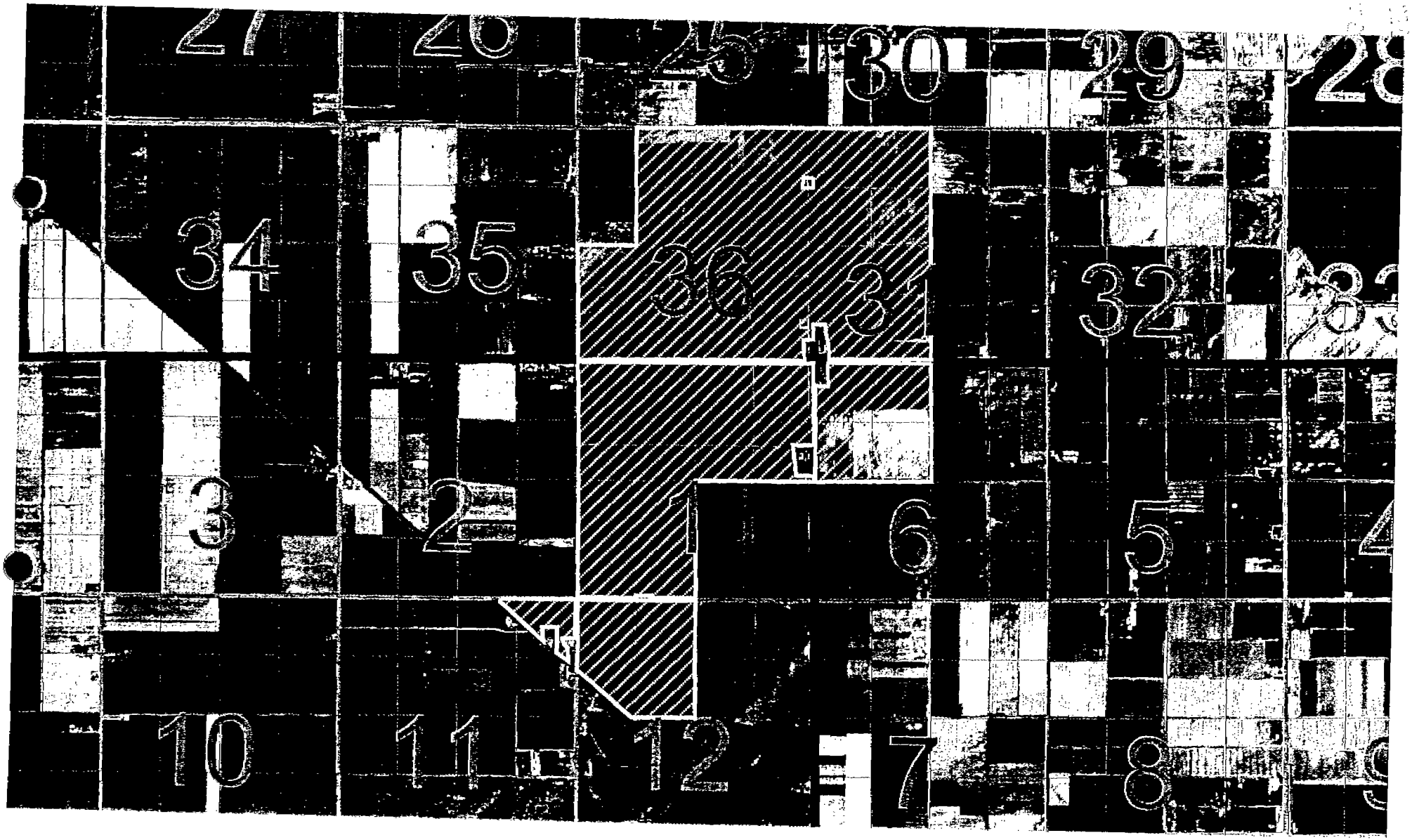
Bryce A. Contor

Bryce A. Contor
Senior Water Resource Agent

Level Canal/Independent Water Users Place of Use Question
October 9, 2000
Yellow - Presumed Place of Use. Blue - Claimed Place of Use



Working Map of Level Canal Place of Use - October 9, 2000



Working Map of Independent Water Users Place of Use
October 9, 2000 - Version 1



Form 13-A

31-0189

Affidavit for Change of Point of Diversion of Decreed Water Right

STATE OF IDAHO,
County of Jefferson } ss.

Mr. M.M.Owsley, being first duly sworn, deposes and says: That his postoffice address is Lamer Idaho; That he is the owner of and using a certain water right, bearing date of priority of September 17, 1912, for 22.4 cubic feet per second of the waters of Mud Lake, County of Jefferson, State of Idaho, decreed to Bertha I.Owsley, by decree of Judge C.C.Cavanah, of the United States ~~Federal~~ District ~~of the State of Idaho, in and for the County of~~ Court Dist. of Idaho in the case of Ernest Sauve vs. W.H.Abbott et.al said decree bearing date of ~~February~~ 25 1931, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 66, in the County of Jefferson, and State of Idaho, to-wit: N½ Sec 1 T 6N R33 E & N½ Sec.6 T 6 R 34 East & entire section 36 T 7 N R 33 East and the W½ Sec.31 T 7 R 34 East.

That ha is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner: Agent for Bertha I.Owsley

That said waters are now diverted from said stream in the NW ¼ NW ¼ of Sec. 33, Twp. 7 N., Range 34 E., and conducted to the above described lands through the Bertha I. Owsley ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in SE ¼ of SE ¼, Sec. 33, Twp. 7 N., Range 34 E., and thereafter conduct same to the above described land through the New Bertha I.Owsley Ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: Draft on the waters of MUD Lake in recent years has so reduced the elevation of the lake surface that water is no longer available at the present point of diversion in the later part of the irrigation season.

That no one will be injured by such change and that such change will be made at affiant's own risk.

M.M.Owsley, Affiant.

Subscribed and sworn to before me this 3rd day of May, 1932

J.Lawrence Hays
Notary Public.
Residing at Dubois Idaho

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit. There are on other users of water intrested in exhisting ditch.

SCANNED DEC 0 5 2001

Form 13-A

Affidavit for Change of Point of Diversion of Decreed Water Right

RECEIVED
MAY 16 1932
DEPARTMENT OF RECLAMATION

STATE OF ~~IDAHO~~ Montana. }
County of Madison } ss.

Bertha I. Owsley, being first duly sworn, deposes and says: That ~~his~~ her postoffice address is Twin Bridges, Montana; That he is the owner of and using a certain water right, bearing date of priority of Sept. 17th, 19 12, for 22.4 cubic feet per second of the waters of Mud Lake, County of Jefferson, State of Idaho, decreed to Bertha I. Owsley, by decree of Judge C. C. Cavanah, of the United States Judicial District of the State of Idaho, in and for the County of ..... , in the case of Sauve' vs. Abbott said decree bearing date of Nov. 21st, 1921, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 36, in the County of Jefferson, and State of Idaho, to-wit: North half Sec. 1 Tp. 6 N. R. 33 E. B. M., 320 acres; Northwest Quarter of Section 6. Tp. 6 N. R. 34 E. B. M., 160 acres. Entire Sec. 36 Tp. 7 N. R. 33 E. B. M., and the West half of Sec. 31 Tp. 7 N. R. 34 E. B. M., 320 acres.

That ~~he~~ she is the person (~~or representative of the corporation~~) to whom such right was issued, (~~or has become the owner thereof in the following manner~~)

That said waters are now diverted from said Lake in the NW¼ NW ¼ of Sec. 33, Twp. 7 N., Range 34 E.B.M., and conducted to the above described lands through the Owsley ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in SE ¼ of SE ¼, Sec. 33, Twp. 7 N., Range 34 E. B. M. and thereafter conduct same to the above described land through the Owsley ditch, as per map above referred to:

That ~~his~~ her reasons for desiring to make such change are as follows: Makes a shorter and better intake from the lake in periods of low water and the elevation of the new pump site is more favorable; reduce seepage and evaporation.

That no one will be injured by such change and that such change will be made at affiant's own risk.

Bertha I. Owsley.
Affiant.

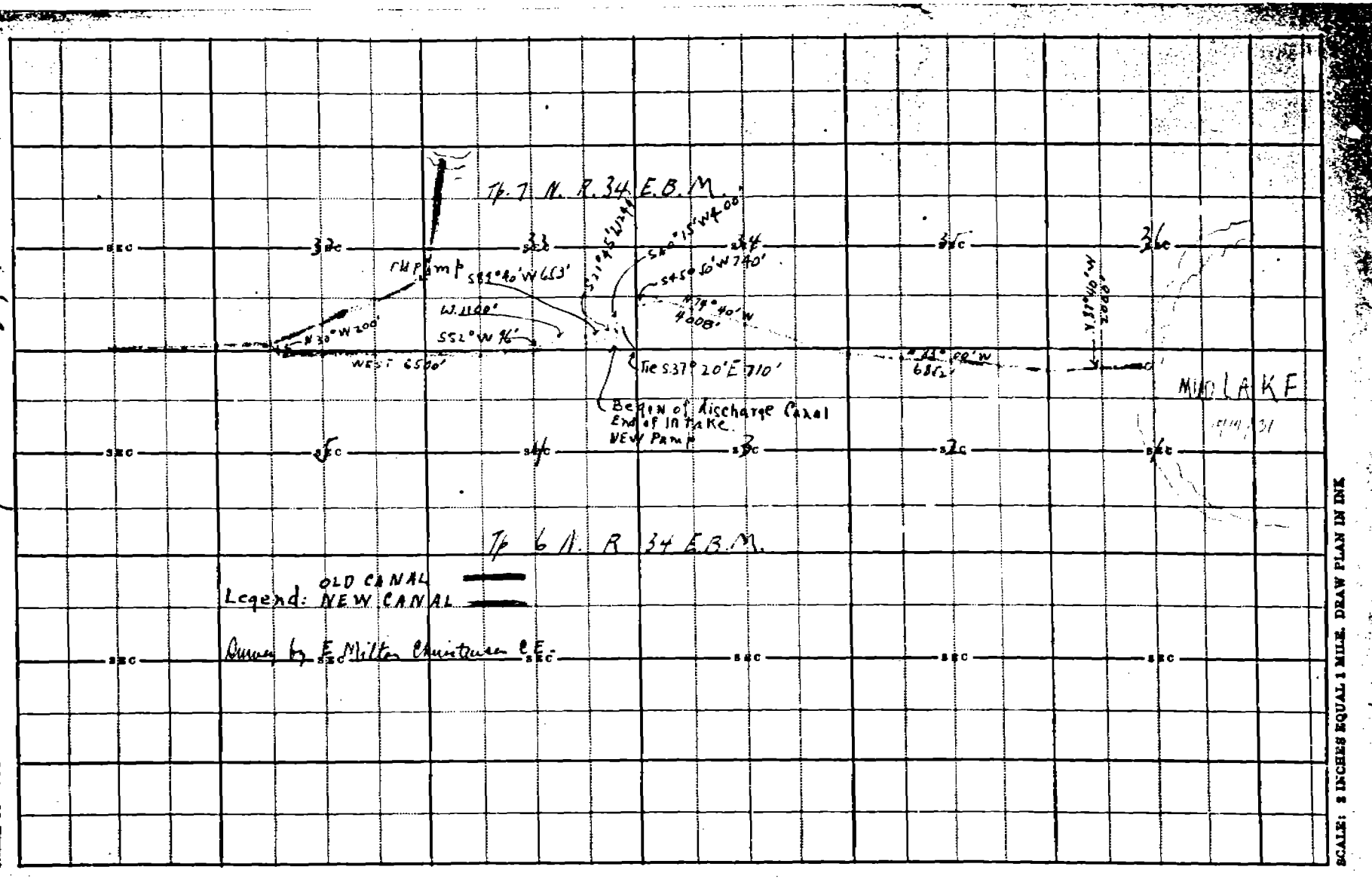
Subscribed and sworn to before me this 4th day of May, 19 32.

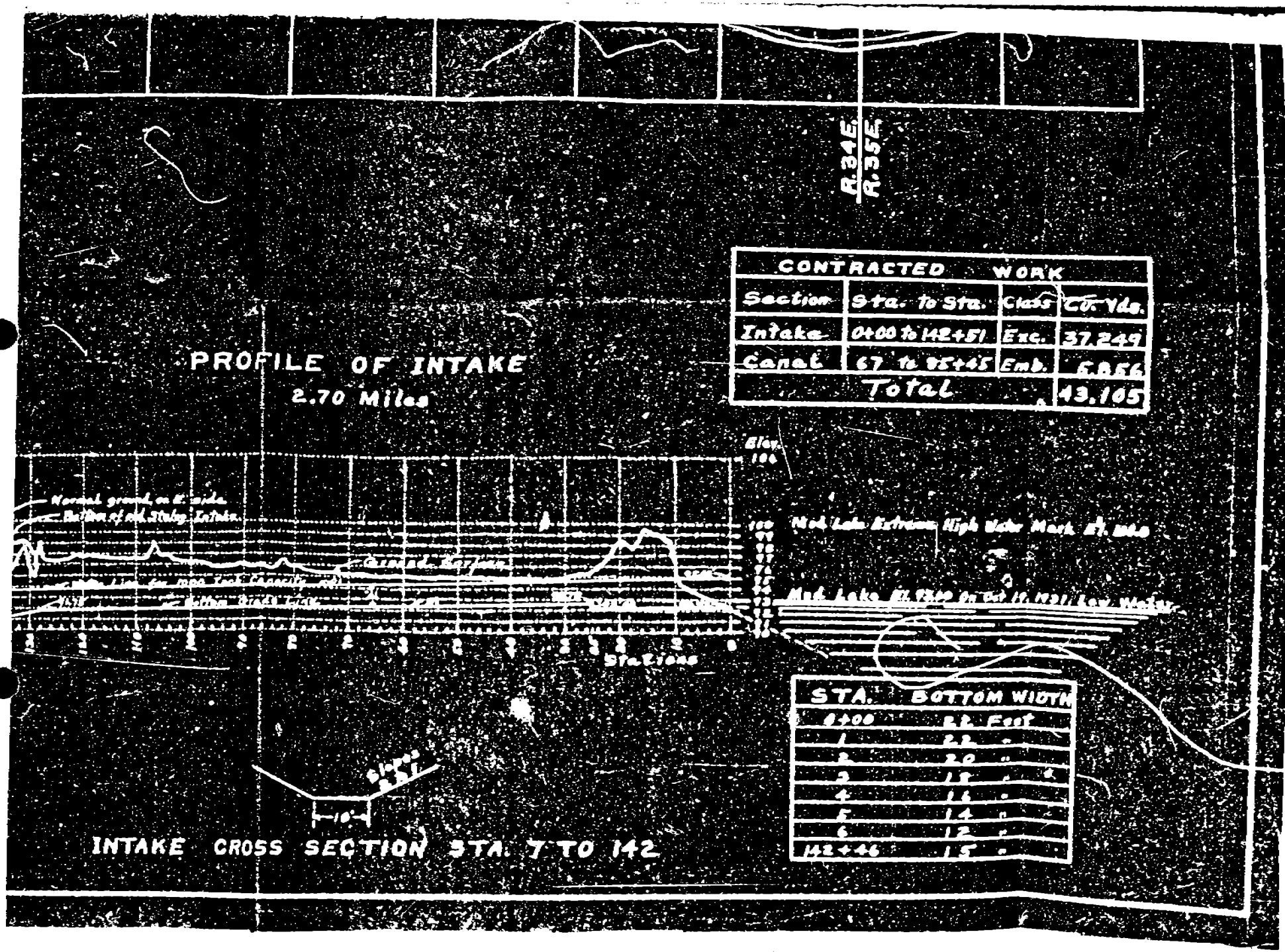
Lynn Comfort
NOTARY PUBLIC for the State of Montana,
Residing at Twin Bridges, Montana.
My commission Expires June 15th, 1934

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

Form No. 6

NAME OF APPLICANT Butte Conty — Twin Brdg, Mont.




R.34E.
R.35E.
PROFILE OF INTAKE
2.70 Miles
CONTRACTED WORK
Section | Sta. to Sta. | Class | Cu. Yds.
Intake | 0400 to 142+51 | Exc. | 37,249
Canal | 67 to 95+45 | Emb. | 5,856
Total | | | 43,105
Elev. 100
Mud Lake Extreme High Water Mark El. 100.0
Mud Lake El. 89.0 on Oct. 17, 1931 Low Water
Stations
STA. BOTTOM WIDTH
0400 82 Feet
1 22 "
2 20 "
3 18 "
4 16 "
5 14 "
6 12 "
142+46 15 "
Slopes 3:1
10'
INTAKE CROSS SECTION STA. 7 TO 142

OF

AKE AND CANAL

NG THE

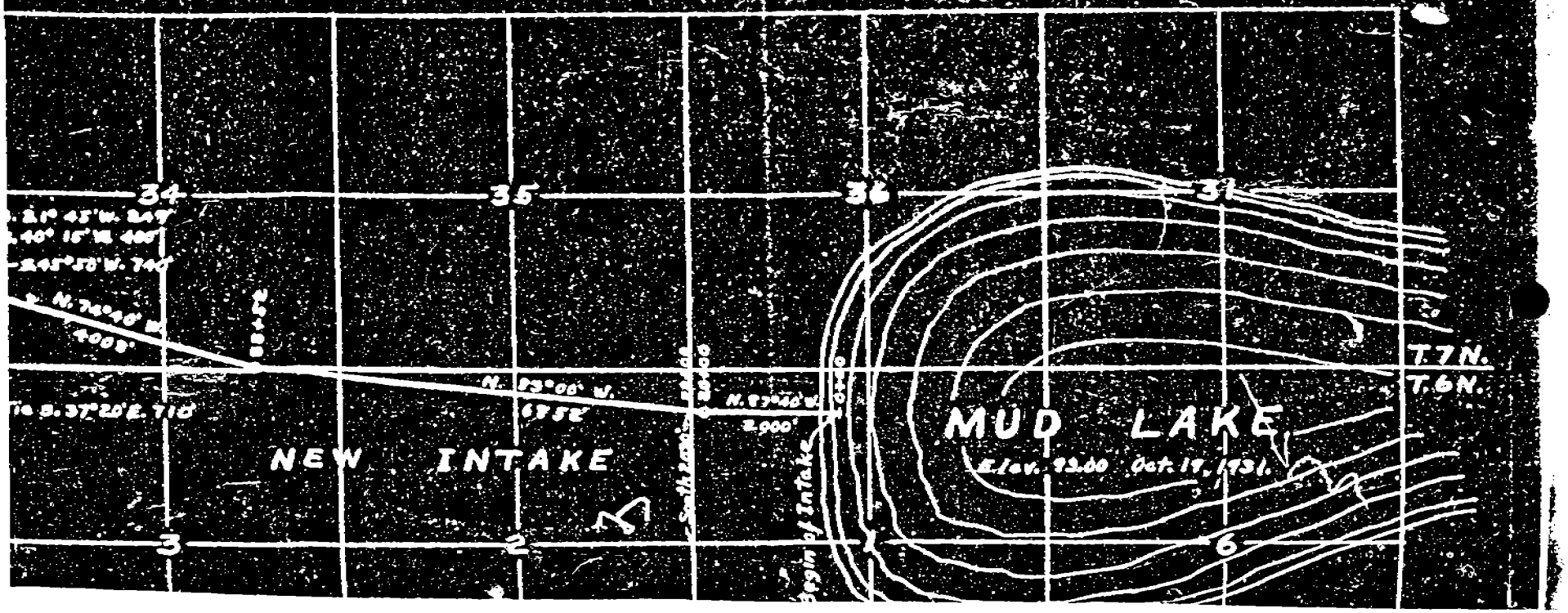
W½ of SEC. 31, T. 7 N. R. 34 E.

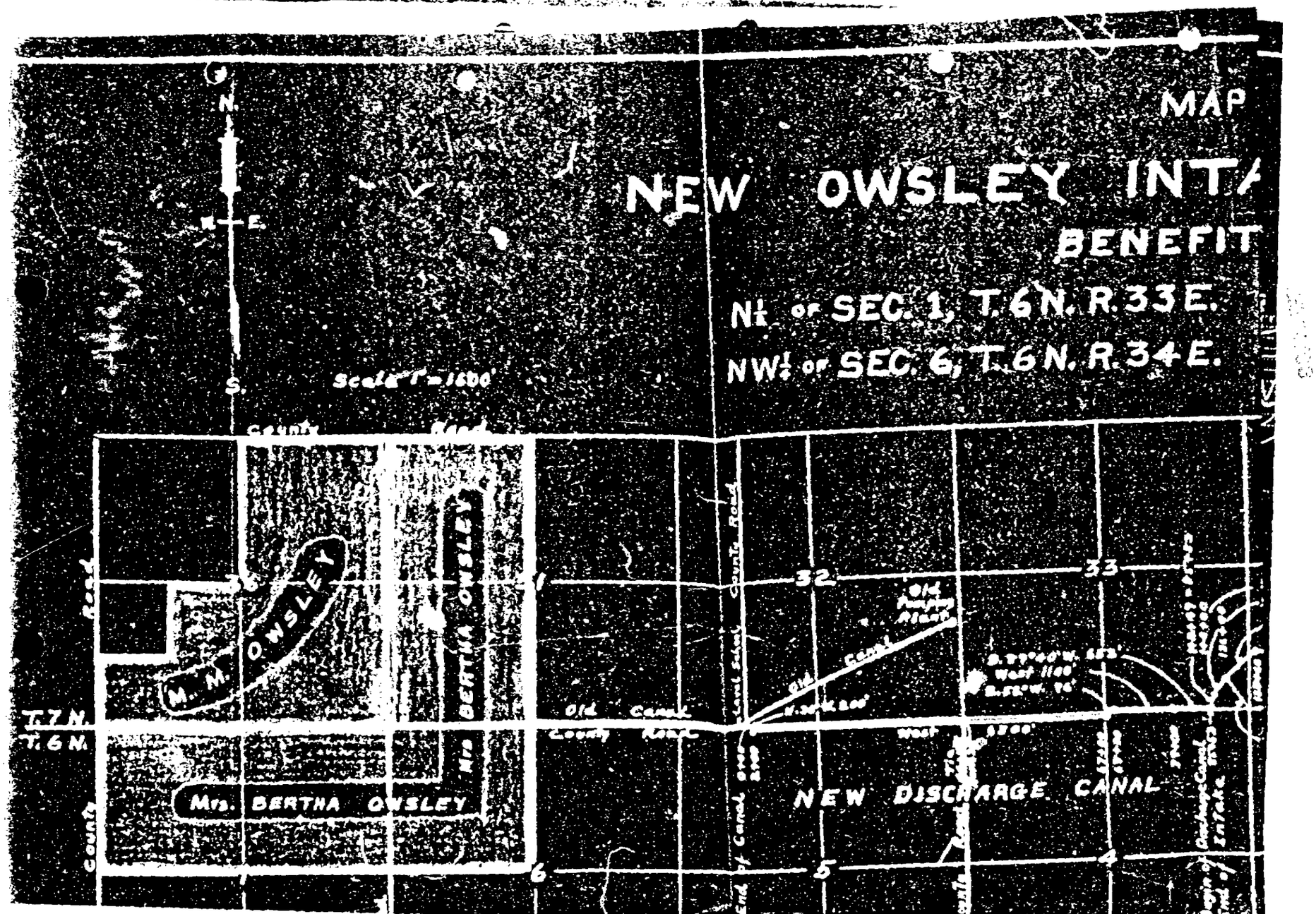
E½, E½-SW¼, SW¼-SW¼ of SEC. 36, T. 7 N. R. 33 E.

I hereby certify that the herewith plan and profiles were made from actual survey as made by me from Oct. 19, 1931, to Nov. 2, 1931, and correctly represents the lines and elevations of the survey, and the correct quantities to the grades as shown.

E. Melton Christensen
Reclamation Civil Engineer

Nov. 7, 1931, Idaho Falls, Idaho.




MAP
NEW OWSLEY INT
BENEFIT
N½ OF SEC. 1, T.6N. R.33E.
NW¼ OF SEC. 6, T.6N. R.34E.
N.
S.
Scale 1"=1600'
County Road
OWSLEY
M. M.
BERTHA OWSLEY
Mrs. BERTHA OWSLEY
Old Canal
County Road
32
33
6
5
4
T.7 N.
T.6 M.
NEW DISCHARGE CANAL

R.33E
R.34E.

PROFILE OF CANAL

CANAL

May 10, 1928

Re: CHANGE OF POINT OF DIVERSION No. 133
Bertha A. Owsley Water Right
Mud Lake

Mr. DAVID E. DARRAH
Dubois
I d a h o

Dear Sir:

Regarding the application for change of point of diversion of the Bertha A. Owsley water right from Mud Lake: Section 163 provides that a change in the point of diversion may be made if no one is injured thereby

At the time of our field inspection on May 1, it was mutually agreed between us that no one would be injured by allowing this application. You are, therefore, authorized to permit Mr. Owsley to divert his water at the new station.

Very truly yours,

Assistant Commissioner
of Reclamation